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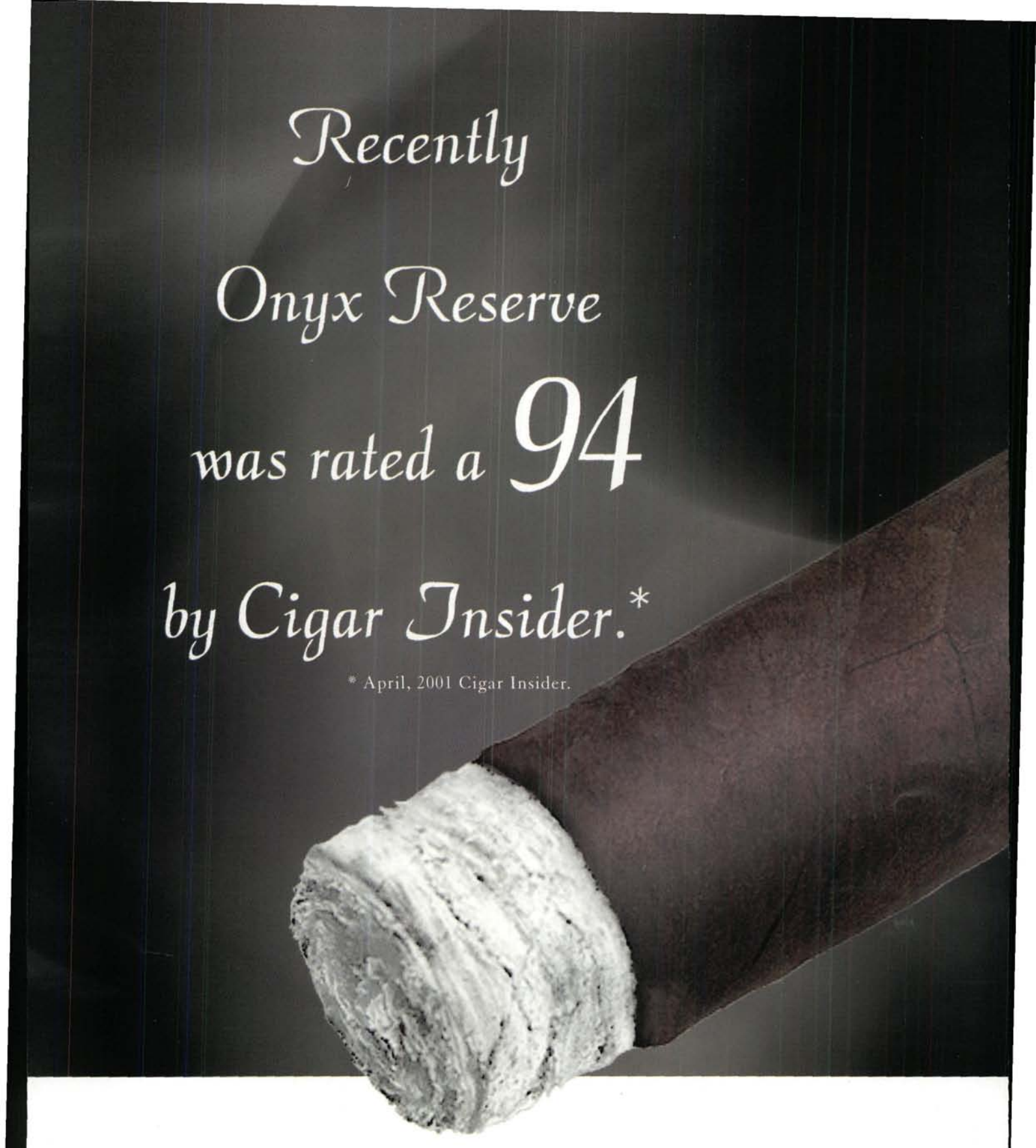

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May 28 issue; printed May 10

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■ LETTERS ■

HEY, MISTER!

I found the excerpts from the exchange between Mr. Buckley and Mr. Kinsley ("Notes & Asides," May 14) engaging and useful. I only wish Mr. B. had come down harder on Mr. K.'s claim that "real intimacy and equality" exist in the Pacific Northwest and in cyberspace. I'm not as complacent as Mr. Buckley on the subject; I think the contagion of first-naming reflects a blurring of gradations of intimacy, and hence, just possibly, real intimacy itself. My father was called Dr. Lehmann-Haupt by his students and colleagues, Mr. Lehmann-Haupt by superintendents and tradespeople, Lehmann-Haupt by good European friends, Hans by army buddies and friends striving for a strained intimacy, and Helmut by real friends. The gradations of address accurately reflected the degrees of intimacy, I always thought. I've never adjusted to the change.

Christopher Lehmann-Haupt
Bronx, N.Y.

THE CHINA-TRADE DEBATE

In Richard Lowry's May 14 article "China Trade—Without Guilt," he quotes from our memo opposing MFN for China, drafted by me two years ago. On the question of whether economic liberalization leads to political liberalization, Lowry quotes me as saying this is "an interesting theory, but just a theory." He then goes on to argue that the "correlation between the two is . . . fact" and the proof resides in "the recent history of Asia."

Three points: First, Lowry ignores the analysis that follows the quote. There is obviously an important but general correlation between economic liberty and political liberty, but, to date, economic liberalization in China has not produced any less stringent Chinese controls over the critical foundations of political liberty: a free press, freedom of association, freedom of religion, and democratic unions. Second, economic growth in a rising power like China, when combined with the kind of nationalism now prevailing there, has, as often as not, produced nonliberal and aggressive states, such as Japan and Germany in the last century. And third, the evolution of countries like Taiwan, South Korea, and the Philippines into democracies is a more complex phenomenon than Lowry presents. All these states were essentially protectorates of the United States, under pressure from us to liberalize. Moreover, all were previously authoritarian governments which, while reluctant to give up political power, did permit the creation of civic institutions and associations that are typically key for making the transition to political freedom happen. But it is precisely those bodies that China today systematically suppresses. In short, Lowry's model of liberalization, when applied to China, is still "an interesting theory, but just a theory."

Gary Schmitt
Executive Director
Project for the New American Century
Washington, D.C.

RICHARD LOWRY REPLIES: *As Mr. Schmitt acknowledges, there is an "important but general correlation between economic liberty and political liberty." Does this mean that China will* inevitably *liberalize? Of course not. It does mean that, given the options, trading with China makes sense as a way to create the pressures in Chinese society—a middle class, greater respect for the rule of law—that tend to be associated with political liberalization. Yes, the government will strain to maintain its control. But Mr. Schmitt should be willing to admit that China's economic loosening has contributed to its relative progress over the last 30 years from one of the most murderous governments in the history of the planet to its current nasty, but significantly less evil, regime. Mr. Schmitt, of course, is right to point out that America doesn't have a protectorate over China, which is why both sides in the trade debate should be more humble about America's ability to determine the course of its internal politics.*

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■ FOR THE RECORD ■

■ President **Bush**, in Associated Press interview: "If I run again, I would like to carry California." If? . . . OMB chief **Mitch Daniels**, on CNN: "The president got the best deal any president has gotten in a long, long time. This will be the biggest tax cut in a generation. It's actually more than he originally called for in his campaign. . . . The Democratic opposition, or a majority at least, came seven-eighths of the way to his position." . . . Rep. **Tom Tancredo** (R., Colo.), on Senate budget demands, in *Baltimore Sun*: "That place is just a nuthouse when it comes to spending. . . . I cannot get over their lack of fiscal discipline." . . . Sen. **Robert Byrd** (D., W.Va.): "The American people want to get the most from the taxes we collect. They want us to plan ahead and to invest in our country. They want us to do the basics that feed the economy, to allow for future growth and anticipate future change. We fail them if we don't do these things. We have failed them if we say: Here, just take your money back. The people can't repair highways. They can't build sewers and clean up water systems. They can't build new airports. They can't inspect the food supply. Government exists to take care of things that people cannot do on their own." . . . Following Sen. **Lincoln Chafee**'s (R., R.I.) refusal to support Bush tax cut, Senate majority leader **Trent Lott** (R., Miss.) says he's "disappointed in [Chafee's] conduct and votes." . . . On Cinco de Mayo, Bush delivers weekly radio address in Spanish.

■ **Bill Simon** gets ready to announce gubernatorial candidacy in California, with internal polls showing him behind Gov. **Gray Davis** (D.) by only 5 points . . . . **Steve Forbes** considers challenging Sen. **Robert Torricelli** (D., N.J.) next year. . . . Florida secretary of state **Katherine Harris** rules out running for Congress in 2002, but not 2004. . . . Federal grand jury indicts Rep. **James Traficant** (D., Ohio) for bribery, racketeering, tax evasion, and obstruction of justice. . . . Former Christian Coalition executive director **Ralph Reed** wins election as Georgia GOP chairman. . . . Latest round of party-switching rumors prompts Sen. **Zell Miller** (D., Ga.) to issue press release saying he has no plans to join GOP "at this time."

■ In "interview" with children, Sen. **Hillary Clinton** (D., N.Y.) jokes about "all the inside information that really matters," such as "where to get a good haircut, how to find some time to yourself, so that you're just not constantly running from one place to the next." When asked what she likes best about Bush, she flusters: "I don't know him that well." . . . **Karin Stanford**, mother of **Jesse Jackson**'s out-of-wedlock child, files lawsuit against Jackson over support payments and visitation. . . . Former D.C. official **Walter Fauntroy** and

"Hah! This city has the toughest gun-control laws in the country, and you expect me to believe that thing is real*?"*

Reagan veteran **Michael Horowitz** arrested for protesting Sudanese atrocities. **Kenneth Starr** agrees to defend the liberal, **Johnnie Cochran** the conservative. . . . National Capital Planning Commission votes to reopen debate about design and location of World War II memorial, currently slated for construction on national Mall.

■ At Columbia University, **Al Gore** says he turned down interview requests from **Bob Woodward** for book on 1996 campaign, *The Choice*. "I declined—it did not feel right," he tells students, according to *New York Times*. "[My Gore material] is not fictional. He talked," replies Woodward, who cites two interviews in April 1996. "It is very sad. But it teaches you to never put away your Al Gore file." . . . More Gore: "I don't know if I'll ever be a candidate [again]. . . . I need more time and distance from the last experience." . . . Student **Heather Saucier**, on Gore's Columbia journalism course, in *Houston Chronicle*: "By Gore's fifth class, I only saw half of the students . . . there." . . . Clinton administration labor secretary **Robert Reich**, writing in *American Prospect*, in January: "Here's what Democrats should be saying loudly and clearly: . . . We want a tax cut that primarily benefits poor and working families." . . . Reich in *American Prospect*, in May: "Democrats should draw a bright line: No tax cut. Period." (Journalist **Mickey Kaus** first noted the discrepancy.)

■ Palm Beach County plans to sell as many as 5,000 Votomatic machines online in order to raise money for new voting equipment. . . . Chicago had "the most error-ridden presidential election last fall of any major U.S. city," reports *Chicago Tribune*, following investigation. . . . NARAL has spent $7.5 million so far this year on ads. . . . United Brotherhood of Carpenters and Joiners of America withdraws from AFL-CIO. . . . **Ward Connerly** prepares Racial Privacy Initiative in California, to stop most state agencies from collecting racial and ethnic data; hopes for March 2002 ballot placement. . . . **Gore Vidal** on **Timothy McVeigh**: "The boy has a sense of justice." Vidal says he may write movie script about Oklahoma City bomber "and those of us who object to the tyranny of the U.S. government against its people."

■ Number of deaths in Congo's civil war approaches 3 million, according to International Rescue Committee. . . . Leading French university adopts affirmative-action program. . . . On first papal visit to Greece in 13 centuries, Pope **John Paul II** asks forgiveness for sins committed by Catholics against Orthodox Christians. He then becomes first pontiff ever to visit Syria.

■ Bush: "Some people think my mom took up the cause of literacy out of a sense of guilt." **NR**

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THE WEEK

■ MAKING IT OFFICIAL: CNN is trying to develop a new talk show hosted by former president Bill Clinton.

■ Our views on the Bob Kerrey matter line up with those expressed by editor-at-large John O'Sullivan elsewhere in this issue. Like most Americans, we want to give the former senator the benefit of every doubt because of his valor and decency. But that disposition cannot wipe away the doubts themselves. Some conservatives have mistakenly leapt to Kerrey's side because they sense the charge against him amounts to a charge against American involvement in Vietnam generally. But Kerrey's defenders do more to discredit America when they suggest, as too many of them do, that war crimes were numerous and routine there, so why sort through them? We believe otherwise. There is no statute of limitations on war crimes. The ones alleged here are sufficiently serious to deserve whatever investigation can be made—an investigation that, we earnestly hope, clears Kerrey and his fellow SEALs of an awful charge.

■ To get his tax cut through the Senate, President Bush had to shrink it from $1.6 trillion to $1.35. Conservatives need not be too disappointed. The size of the tax-cut bill matters less than the policies it includes. Hence we have argued for vigorous pro-growth tax cuts, whether they lower federal revenues by more than $1.6 trillion or less. Conservatives should continue to press for the tax-cut bill to reduce the top income-tax rate as deeply and as quickly as possible. And since the bill is supposed to include provisions to counteract the economic slowdown, conservatives should insist that those provisions be effective—that they take the form of a capital-gains tax cut rather than a rebate. However it shapes up, the bill is not the end of the story. After the budget goes through, popular tax cuts, such as an end to the marriage penalty and relief from the alternative maximum tax, should be considered as stand-alone bills. Congress spends money year-round. It should cut taxes year-round too.

■ The cause of modernizing Social Security is showing surprising strength. Bush has just appointed a commission to look into free-market reform, and polls show continued support for it. On May 8, Gallup reported that 54 percent of the public favored, and only 36 percent opposed, letting workers invest some of their contributions to the program. Support has dropped by only 5 points after a year of tumbling markets. In the long run, support is likely to grow. On the same day Bush announced the commission, the House voted to expand 401(k)s, IRAs, and other pension plans exempt from the double taxation of savings. The bill, co-sponsored by Ohio Republican Rob Portman and Maryland Democrat Benjamin Cardin, passed with 407 votes. Given what we know about the effects of increased involvement in capital markets on people's political attitudes, enactment of this bill may make it easier to reform Social Security in the future. The bill may even be more important than the president's worthy commission.

■ If more spending on schools caused children to learn more, the education bill moving through Congress would do wonders to boost student achievement. Of course, the experience of the last 20 years disproves that premise. Spending per student has increased by over 22 percent in constant dollars, but still one-third of college freshmen enroll in remedial reading, writing, or mathematics courses. Washington has spent $120 billion on Title I to help disadvantaged students, but still nearly 70 percent of inner-city and rural fourth graders cannot read at a basic level. President Bush's bipartisan bill nonetheless doubles Title I funding over the next five years. America's biggest educational problem may be that Washington never learns anything.

■ Bush forwarded his first batch of nominees to important federal courts, and they are an impressive group of conservatives in the main. It is also a shrewdly selected group. The White House has practiced a bit of affirmative action: A majority of the first crop of nominees are women or nonwhites, which will make it harder for Democrats to oppose them. Political circumstances forced the renomination of Roger Gregory, one of Clinton's unconservative judges. Gregory is black, and the Democrats had made his renomination a civil-rights cause. When the leading Republicans in Gregory's home state of Virginia—Jim Gilmore, John Warner, and George Allen—caved, the administration had little choice but to follow suit. But Bush is making the best of it, placing the onus on Democrats to show similar bipartisanship when it comes to confirmation. Bush's personal appearance with these nominees demonstrates his commitment to getting them confirmed: No president before him has gone to the trouble. But the Democrats are listening to left-wingers who want to block every judge put up by this usurper president. Buckle your seat belts.

■ President Bush is reportedly considering nominating John Walters, a former aide to William Bennett, as his drug czar. Walters has critics, who say that he places too much emphasis on punishing drug offenders and not enough on treatment. The outgoing drug czar, Barry McCaffrey, has joined the criticism. Some of that criticism may be unfair—Walters actually supports treatment, but thinks that legal sanctions are necessary to get addicts into treatment—but the truth is bad enough. Walters believes that the Clinton administration was insufficiently tough on states that voted to allow medicinal marijuana. He favors the further militarization of drug policy, even though there is little evidence that military interdiction efforts affect drug consumption. He testified in favor of shoot-

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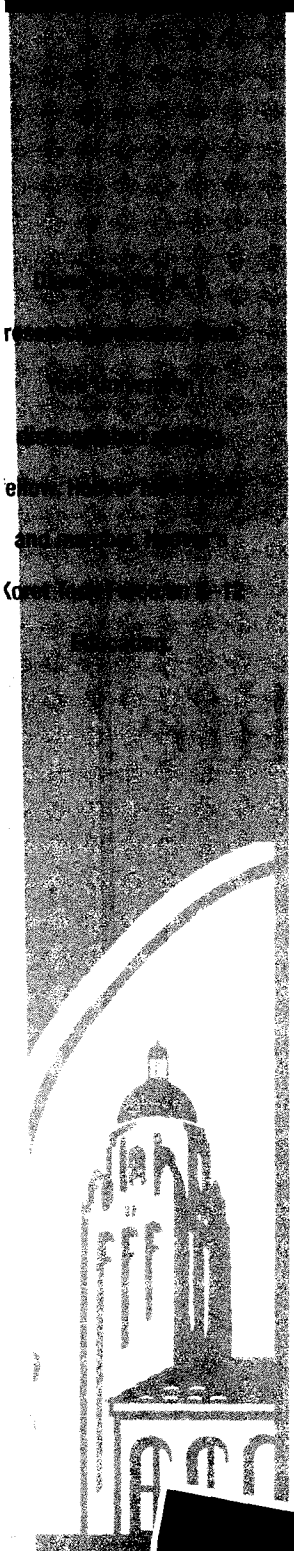
Report Card in Peril



In April the nation learned that reading achievement among fourth-grade children has been stagnant since 1992. We also learned that the gap between the most successful and the least successful students was growing and that the poorest readers were performing even worse than they had in 1992.

The reason we know these things is because of a federally funded testing program called the National Assessment of Educational Progress (NAEP), which has been testing national samples of American students since 1969 in subjects including reading, writing, mathematics, science, and history. In addition, NAEP has been testing state samples of students and reporting on how their performance has compared from state to state since 1990.

NAEP scores provide powerful information that influences state and national policies as well as decisions about public investment in education. **Unfortunately, Congress is about to act on legislation that could jeopardize the entire NAEP program.**

In the next several weeks, Congress will act on President George W. Bush's education plan. Bush wants the states to test every child in grades three through eight every year in reading and mathematics to see whether students are making progress or not. The states would get rewards or sanctions based on student achievement (or lack thereof).

The president proposed that states use a test of their choosing that produces comparable grade-by-grade results; he also recommended that states validate their claims by using the NAEP. At present, about forty states participate in NAEP and bear some of the costs. Bush would have the federal government pay for NAEP to be given to a sample of students in every state.

However, some in Congress insist that states should be free to get their second opinion from some nationally standardized test other than NAEP. If this provision passes, the NAEP testing program would be endangered. Because NAEP is more rigorous than most commercial tests, states would have good reason to shop around for an easier test. If significant numbers of states ceased participating in NAEP with congressional encouragement, NAEP would no longer have the data to report on state or national results. **The fact is that no other testing program is equal to NAEP as an external audit for the states.** Commercial test publishers sell their examination booklets to states and districts, where they are reused for several years until new editions are published. The administration and security of these testing programs are controlled by states and districts, not by an independent external organization.

Those who want states to have alternatives to NAEP say they are worried that the U.S. Department of Education might create a national curriculum. However, NAEP is controlled by a broad-based bipartisan governing board (the National Assessment Governing Board), not by the U.S. Department of Education. Congress created this governing board in 1988, when it authorized state-level administration of NAEP.

If Congress enacts legislation that inadvertently puts NAEP at risk, it would be a huge loss for the nation and for American education.

— Diane Ravitch

Paid for by the Hoover Institution, Stanford University.

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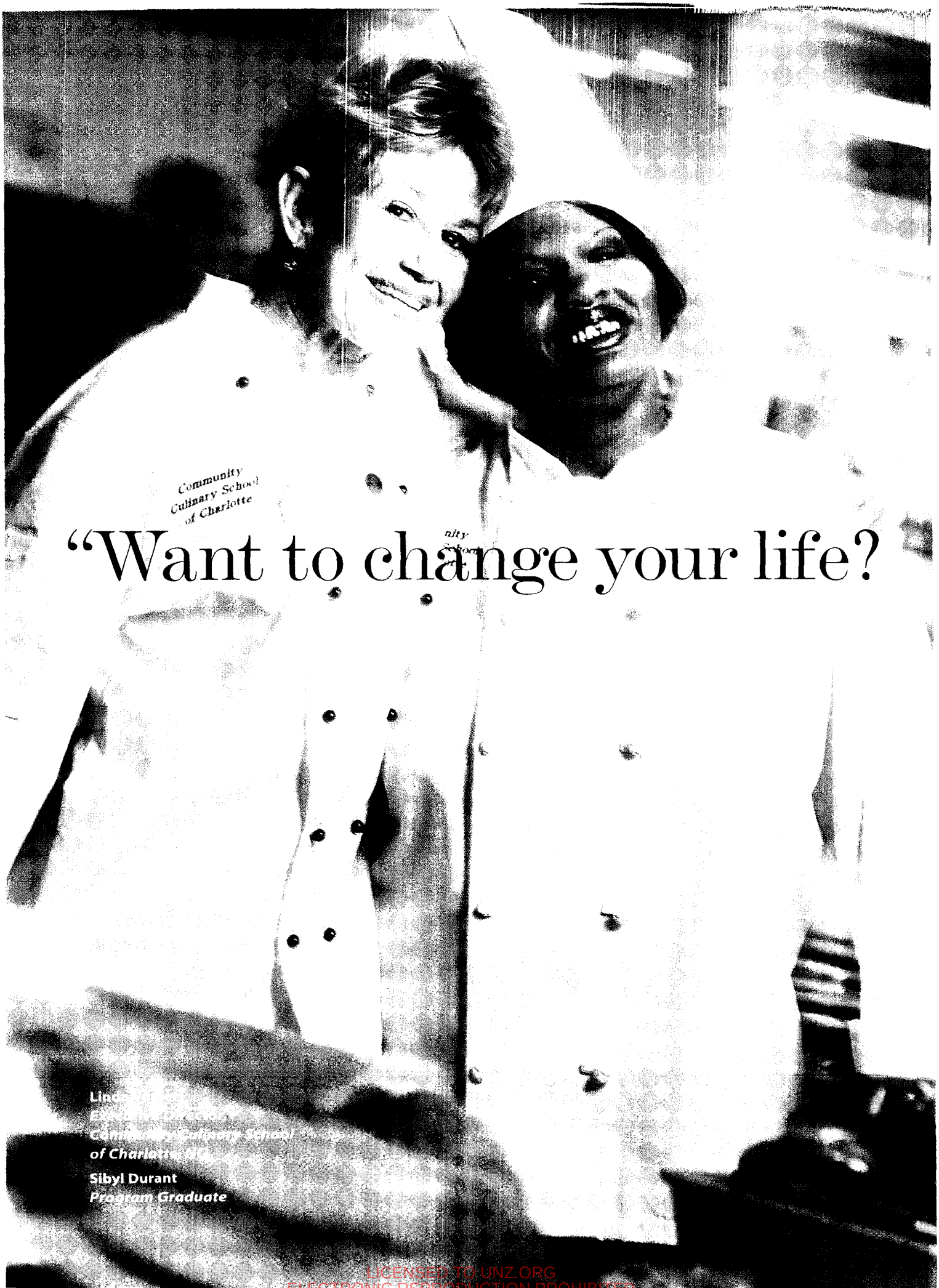

Sibyl Durant
Program Graduate

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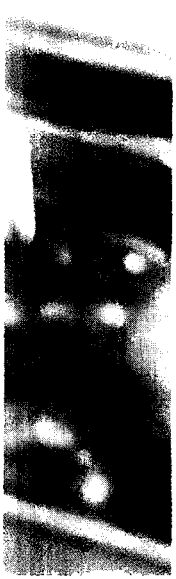

In this kitchen, chefs Linda Vogler and Sibyl Durant make a difference in the fight against hunger. When she was a struggling mother with few employable skills, Sibyl wondered how she would find a steady job. Then she discovered the Community Culinary School of Charlotte, North Carolina. There, jobless and homeless adults train for food service careers by preparing nutritious meals for the hungry. As a working chef, Sibyl now enjoys the pride of helping others and the dignity of helping herself.

Step into our kitchen."

The Community Culinary School and similar programs nationwide offer innovative solutions to help fight hunger. They need your support to provide training, guidance and encouragement to adults struggling with unemployment.

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What's On The Minds of America's Leading Conservatives?

Popular conservative authors pictured (*left to right*) Alan Keyes, G. Gordon Liddy, Robert Bork, Ann Coulter, Robert Novak, Thomas Sowell, William F. Buckley, William J. Bennett

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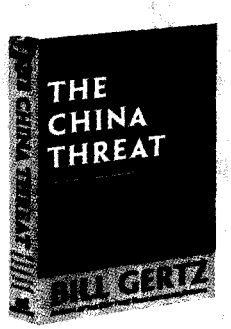

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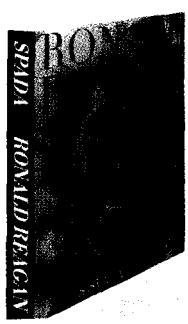

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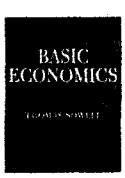

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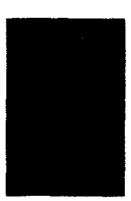

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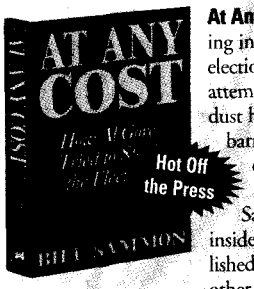

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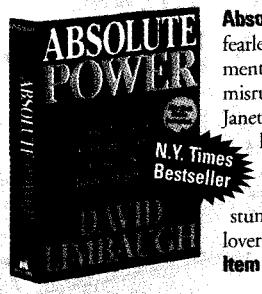

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ing down civilian aircraft suspected of carrying drugs over Peru—a policy that recently claimed the lives of an American missionary and her child. Defenders of that policy might say that all wars have civilian casualties. But if we are going to continue to wage a war for the utopian goal of a "drug-free America," it should at least be run by someone who is willing to take account of the war's costs. John Walters does not appear to be that man.

■ The House passed the Unborn Victims of Violence Act by a healthy margin. The bill establishes that when an attack on a pregnant woman harms a fetus, the attacker is subject to criminal penalties for the harm to both mother and child. Abortion-rights activists opposed the bill because granting any sort of legal protection to the unborn obviously threatens their cause. Indeed, the bill exposes the incoherence of the "pro-choice" position. The abortion groups often speak as though pregnant women may choose whether to define what they are bearing as children or lumps of protoplasm. We are to respect whatever choice they make. Yet now those groups are saying that when women consider their babies babies, the law cannot respect that choice. The activists have a point: The law cannot accept such an unstable definition of personhood. But in making this point, the activists are conceding that pro-choice rhetoric is misleading. They do not want the law to be merely neutral with respect to fetal personhood. They want it to take their side. And that side is pro-abortion.

■ The forces of separatism are always moving, so the forces against them must be ever alert. Members of Congress have (again) proposed the construction of a "National Museum of African-American History and Culture" on the Mall. The proposal has been forwarded not only by the usual left-wing racialists and separatists, but by such conservative Republicans as Sen. Sam Brownback of Kansas. American history and culture, of course, are inconceivable without "African-American" history and culture. We are all bound up in this story and national life together. To try to separate black Americans from American history and culture generally is to try to separate the yeast from the loaf. If our government and other elites continually move on the basis of race and ethnicity, no one should have the right to ask, Why is there so much acrimony among Americans today?

Moving Right Along

With a missile speech that left
Tout Brussels in a snit,
While the Chinese sputtered through
A King Kong kind of fit,
Mr. Bush's broad brush limned
A laser-spewing force
I found rather bracing, though
Screams leave the squishy hoarse.

—W. H. von Dreele

■ Eleven of the fifteen countries of the European Union are left-wing, and they see themselves building a bloc that will exclude the Right. When Jörg Haider and his Freedom party won last year's elections in Austria, all hell broke loose, with a general boycott of Austria on the grounds that Haider was Hitler reincarnated. Impending Italian elections are bringing on more of the same hysterics. Silvio Berlusconi—undoubtedly an entrepreneur and billionaire—and his Forza Italia party have a lead in the polls. But they are conservatives, and so by definition unfit for the left-wing superstate now emerging like a butterfly from its chrysalis. As if conducted by Toscanini, the European media tune to a single note. A French paper considers Berlusconi "dangerous," Mussolini-like. The German and British press agree. *The Economist* shrieks that Berlusconi's election "would be a dark day for Italian democracy and the rule of law." In Spain, Baltasar Garzon, the judge famous for valor against Pinochet, is leveling threats because Berlusconi has local business interests. Perhaps the folk in Brussels will revive the Red Banner of Labor for the judge and his kind in the media. Democracy may be a very fine thing, but tolerated in the Europe of the future only on the condition that it throw up pre-agreed results.

■ Gen. Paul Aussaresses was a senior French counterintelligence officer in Algeria during the colony's war of independence. In memoirs just published, and in accompanying interviews, he has described how summary executions of Algerians were covered up as suicide. "Torture is extremely efficient," the general remarks genially. "In the majority of cases, people crack and talk. Afterwards, most of the time, we'd finish them off. Did that pose a problem for my conscience? I have to say it did not." In a bestselling book at the time of that war, a writer, Henri Alleg, was already exposing the routine French use of torture. The general's novelty value is therefore small. The recent trial of Maurice Papon, onetime prefect of Paris, further revealed that a good many Algerians were murdered in the French capital and their bodies thrown into the Seine. President Chirac professes himself "horrified" by the general, while Prime Minister Jospin is "deeply shocked." The general may forfeit his Legion of Honor. All can take comfort that at so painful a moment there was an election to the committee of the Human Rights Commission of the United Nations, and France received 52 of the possible 53 votes.

■ Two new campus institutions are cause for celebration. The first is Princeton University's James Madison Program in American Ideals and Institutions, founded this year by Professor Robert P. George. The program addresses the foundational questions of American democracy—federalism, the moral basis of private property, the role of religion in the public square, and America's place in the world. It has brought to

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campus such speakers as Richard Epstein, John DiIulio, and our Richard Brookhiser. Meanwhile, Amherst political scientist Hadley Arkes, an NR contributing editor, has created the Foundation for Classical Studies in Statecraft and Jurisprudence. The foundation, which plans to endow faculty positions at Amherst, began its first lecture series this month, featuring theologian Michael Novak. Both academic programs begin with the premise that the American experiment is a worthy one, deserving of serious, dispassionate study. That this idea qualifies as "conservative" suggests how necessary are the efforts of George and Arkes.

■ The cable-TV Cartoon Network had a great idea: a retrospective featuring every Bugs Bunny cartoon ever made. Then they started looking at some of the older episodes and the carrots hit the Cuisinart. In one, Bugs parodies a black-faced Al Jolson; in another, he refers to a buck-toothed Eskimo as "big baboon." What's up, doc? The dander of America's numerous and powerful "victim" groups, that's what, if this kind of thing were to be aired in public. Scrambling for cover, the network devised a plan to show the offending episodes late at night, with prominent disclaimers noting that these stereotypes were representative of their time. However, Warner Brothers, which owns the jaunty rabbit, did not have that much faith in the ability of American adults to act like, well, adults. The retrospective will go ahead, but it will no longer be complete. There are some things just too shocking, too outrageous for modern sensibilities—among them, apparently, the antics of a cartoon rabbit.

■ Watch out! There's a movement afoot to ban dodgeball. In a symposium in the April issue of *The Journal of Physical Education, Recreation, and Dance*, more than a dozen physical-education specialists call dodgeball a dangerous game that traumatizes children. The worst athletes get eliminated quickly; their self-esteem wanes. One academic has consigned dodgeball to the "physical education hall of shame," where it joins musical chairs, Red Rover, and duck, duck, goose. Several school districts have banned the game. Elsewhere, kids play using only a large beachball, or stand in a circle throwing things at a deflated ball in the middle: The side of the circle that nudges the ball the farthest wins. Somehow it just doesn't compare to the original. The PC phys-ed crowd deserves a good beaning.

■ *The New York Times Sunday Magazine* ran an interesting piece about a cure for cancer discovered by an unknown and untrained herbalist in a remote part of China. The original medication is described as: "a powdery home-brewed concoction . . . made from two types of ground rock and the venom of a local toad." A purified version of this powder has now been approved by the U.S. Food and Drug Administration as treatment for A.P.L., a brutal form of leukemia. Oh, and the active ingredient is arsenic. "Arsenic is remarkably easy on the patient compared with conventional chemotherapy," notes the *Times*. Must be a bitter glass for Tom Daschle to swallow.

FOREIGN POLICY

Cacophony

THE Bush administration's foreign policy is a work in progress. At the Defense Department, only five political appointees have been confirmed; that leaves 40 to go. It is too soon to issue definitive judgments. But it is not too soon to worry about the emerging patterns of our foreign policy—about its substance and the manner of its articulation.

This is an administration that prides itself on its discipline. Its members are team players. At the same time, Bush has made it clear that he has no desire to micromanage his staff. He is willing to surround himself with confident, strong-minded people. He sets forth general principles, and they fill in the details. But this management model is self-contradictory. Confident, strong-minded people have their own ideas and are not easily controlled. Unless the president provides more direction, the result will be a set of conflicting initiatives and statements that will bewilder concerned citizens, our allies, and our foes.

Examples of such conflicts abound. Secretary of State Colin Powell announces that the administration will continue its predecessor's approach to North Korea. Then Bush contradicts him. Bush takes a tough line against Castro. Then Powell testifies that the dictator has "done good things for his people." Bush tells Yasser Arafat that he must "stop the violence." Powell criticizes Israel for trying to, well, stop the violence.

Bush's policy toward China has zigged and zagged. After the EP-3 crew was returned, we heard some tough talk. Then we heard that the administration would not send to Taiwan Aegis destroyers or continue to conduct an annual review of Taiwan's security needs. Bush zagged, stating more clearly than at any point in the last three decades that we would do "whatever it takes" to defend Taiwan in the event of a Chinese attack. In keeping with this view of China as a security threat, defense secretary Donald Rumsfeld issued a memo suspending military exchange programs between China and America. Until the next zig: The White House forced Rumsfeld to retreat, and the memo was portrayed as a mistake by one of his aides. The same week, Bush severely criticized the Chinese for their crushing of religious freedom.

The previous administration had a policy of "strategic ambiguity," based on the mistaken notion that the best way to keep the peace between China and Taiwan is to leave both in the dark about how America would respond to an attack. Bush's policy toward China is ambiguous, too, but apparently from incompetence rather than design.

An element common to many of the snafus mentioned above is Colin Powell's disappointing tendency to reflect the views of the State Department bureaucracy rather than the president who appointed him. Bush has to find a way to keep him from undermining his policy. This will be a difficult diplomatic and political task. But if Bush cannot manage relations within his administration, how he can succeed in the world beyond it?

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MISSILE DEFENSE

Still Mad

THE arms-control brigade has been out in force since President Bush announced his latest moves toward missile defense, but their weaponry is looking a little rusty. Most of it is 20 years old. There is, for example, the charge that developing a missile defense would be prohibitively expensive—even though at the current estimates of several hundred billion dollars it wouldn't cost much more than developing other major, high-end weapons systems. The old chestnut that a system couldn't work has also returned for a command performance, even though the first of the three tests of the ground-based system that the Clinton administration had been pursuing was a success and the two others failed because of low-end technological misfires. The fact is that missile defense, fundamentally, involves gathering and processing information—something at which America excels.

Cost and feasibility are practical worries. The braver arms controllers made the case that missile defense doesn't even make sense in theory. Michael Kinsley, uncharacteristically, advanced the dumbest argument. He pointed out that the theory of Mutual Assured Destruction depended on remaining vulnerable to a Soviet retaliatory strike (hence, the appropriateness of the acronym). The idea was that as long as the Soviets knew that they could survive and retaliate for a U.S. first strike, they wouldn't necessarily have to "use or lose" their nukes. Hence, the "balance of terror." The risk of Reagan's SDI, then, was that it would be just good enough to rebuff a retaliatory strike, thus ungluing the "stability" of MAD. Kinsley worries that the Bush plan will have the same effect today. But the nuclear forces the U.S. would be countering now are too small for MAD to apply. China, North Korea, Iraq, Iran—none of them will soon have survivable nuclear forces in a Soviet sense. If Kinsley is right about the sources of nuclear stability, these nations should be firing nukes at Seattle as soon as they are capable, because if they don't use them, they will lose them. Absurd. Someone get Kinsley an Alka-Seltzer—he has a Cold War hangover.

Writing in *Slate*, Robert Wright made a more straightforward case—that the likes of Saddam Hussein and Kim Jong Il will be deterred from attacking the U.S. by their self-interest, making missile defense unnecessary. Really? What should make us think that such dictators wouldn't be willing to sacrifice their fellow citizens in a crazed cause (it's what they do every day)? Would the U.S., if push came to shove, actually be willing to destroy millions of innocents in retaliation? Are we sure that a given dictator wouldn't have doubts about the answer to this? Even if a rogue doesn't actually launch against the U.S., ICBMs give such states new power to blackmail, outright or subtly, the United States and its allies. Missile defense would eliminate, or at least diminish, that power. But Wright argues that if there's the slightest chance of a rogue missile getting through, even if missile defense is 98 percent effective, the possibility of blackmail remains unchanged. But this is nonsense. If Saddam knew his missile probably wouldn't hit the U.S., but might nevertheless unleash a retaliatory strike against him, both his incentive to push the button and his ability to influence U.S. actions would drastically diminish.

Finally, the arms controllers warn of a renewed arms race, and tout more arms agreements to prevent it. Richard Butler, the man who had the run of Iraq and still couldn't locate and destroy its weapons of mass destruction, rushed to the pages of the *New York Times* to advocate more financial support for the International Atomic Energy Agency (IAEA) in lieu of missile defense. But the idea of a new arms race, prompted by missile defense, is absurd. Russia can't afford it. China has been aggressively updating its nuclear force for a decade, even when Clinton was swearing never, ever to try to shoot down any incoming missiles. Butler, like other arms controllers, puts his faith in the Non-Proliferation Treaty (NPT). But whatever its merits, that agreement alone can't be relied on to guarantee U.S. security. Iran, Iraq, and North Korea, among others, have flouted it. As for its successes, are we really supposed to believe that the NPT stopped the likes of Sweden and Burundi from acquiring nuclear weapons? Missile defense will aid the cause of effective non-proliferation more than any treaty, because it will reduce the value of nuclear weapons. There's a reason, for instance, that North Korea doesn't bother to build aircraft carriers—because (besides being expensive) we can easily blow them out of the water.

Finally, as a last resort, missile-defense critics warn that defending against missiles is woefully inadequate since a nuclear bomb could be smuggled into the U.S. in a suitcase. Here they have half a point. By all means, let's continue the effort—billions a year is already spent on it—to defend against terrorists and suitcases, even if Kinsley & Co. eventually find a theoretical reason to oppose doing that too.

APPRECIATION

Ira Glasser, Retired

THE retiring head of the American Civil Liberties Union is a singular figure. Ira Glasser has served as executive director of the ACLU since 1978, and has been a great personal presence owing to his intelligence and capacity to laugh. I attended a party given in his honor by the ACLU that glowed with pride and pleasure, and featured a 15-minute documentary on Glasser's life and accomplishments that was Hollywood-caliber.

I recall another departure, recorded in the book I wrote on the United Nations. " . . . I had promised to attend a little party. In honor of Roger Baldwin, founder and godfather of the American Civil Liberties Union, who was celebrating his ninetieth birthday. There is a lot about Roger Baldwin I have disagreed with—over the years he sometimes fused his social ideas with civil-rights doctrine. There he was, in the large living room of a friend, surrounded by what seemed a mob—maybe 150 people, of every age. Old warriors from the social-democratic movement in America of the Thirties, young starstruck lawyers, groupies of the civil-rights move-

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ment, pretty graduate students. Norman Cousins gave a little talk, witty and warm, and Baldwin rose to speak, a truly beautiful face, a virile, poised, incorruptible man: the high commissioner, in a way, of the American human-rights movement. They brought in a cake with 90 candles. I was asked by the lady with the cake, would I (standing at the door—there was no way to move into the crowded room) start singing 'For He's a Jolly Good Fellow'? I whispered that I had no singing voice, so she did it, and the crowd took it up. There was more devotion to human freedom in that living room than I had seen in three months with the Human Rights Commission of the United Nations."

The contrast is considerable. Baldwin, after graduating from his brief pro-Soviet spell, was the stoutest of them all in defense of the purposes of the Cold War. Ira Glasser's involvement in the human-rights scene didn't directly face the Communist question. The ACLU is lopsidedly concerned with the right to abort and the right not to hear a prayer uttered or see it written down on public property. The emphases are less engrossing than those that were made in the ACLU day of Roger Baldwin, but Ira Glasser, by profession a mathematician, is brainy, tough, and engaging. We will miss him both as friend and antagonist.

—WFB

■ NOTES & ASIDES ■

■ Dear Mr. Buckley: Upon hearing that I've become a Catholic, people frequently remark, "Oh. Have you read *Angela's Ashes*?"—the implication being, "If so, how do you justify yourself?"

My husband dismisses them as victims of an ad hominem appeal, and tells me to get used to such crassness as common anti-Catholic prejudice.

A friend from Dublin asserts that Frank McCourt's book panders to the popular notion that Irishmen are drunks living in sod huts, expecting their numerous children to survive on the dole or the charity of the Church. He refers heatedly to McCourt as a "gurrier," apparently an Irish pejorative for one low enough to blame others for his mother's bad marital choice. (But then, this is the same friend who declares a Dubliner is never more content than when nursing a grievance.)

Do you have any comment or, better yet, any suggested ripostes for the aforesaid crass acquaintances? Or should I just offer it up?

Sincerely,
Sylvia Swain Rummel
Fulton, Mo.

Dear Mrs. Rummel: I think indeed you are best off offering it up. I don't know the word "gurrier," and haven't read the book, but I can't believe there is anything in it that would cause the martyrs to repent their faith.

Cordially, WFB

■ Dear Mr. Buckley: I would like to suggest *obsolesce* as an answer to Brian Maher's query in the Feb. 5 issue about a verb meaning "to make obsolete."

It's not listed in my 1959 *F&W World Language Dictionary*, but we know the cautious nature of such sources. By 1959 not much of anything had reached obsolescence—not even buggy whips—but that year was a threshold for the transistor and many other monumental and *obsoletive* inventions. The verb *obsolesce* is like *evanesce*, only occurring over a shorter period of time. (Incidentally, the typewriter may be evanescent, or even archaic, but it's certainly not obsolete! I still use one, so long as Staples continues to stock ribbons and whiteout.)

In the computer biz we frequently employ the verb *obsolesce*, except when referring to U.S. government electronics (e.g., FAA systems, where vacuum tubes are still used to steer jumbo jets over high-density-population areas). Those systems seem to *evanesce*.

I'm a 45-year NR reader, with *all* the back issues somewhere.

NR will never *obsolesce.*

Very truly yours,
Gregory A. Weissenberger
Mission Viejo, Calif.

Dear Mr. Weissenberger: Good! Stay in there.

Cordially,
WFB

■ Dear Mr. Buckley: From a recent column of yours: "A federal district-court judge dismissed a gun-possession charge on the grounds that the law . . . was unconstitutional."

Okay, you have mentioned one of his grounds; what were the others? This is not an isolated example. You habitually use "grounds" as though it meant "ground." It doesn't.

Yours respectfully,
Brice M. Clagett
Washington, D.C.

Dear Mr. Clagett: *American Heritage Dictionary*, #8 and #9 under "ground," lists the plural "grounds" as frequently used in place of the singular.

Cordially, WFB

■ Dear Mr. Buckley: Herewith is my contribution to the NR Fund. Your magazine is a delight.

Your letter of request states that your goal is "about the cost of half a torpedo." Since one cannot purchase one half of a torpedo, would it not be more correct to say "about half the cost of a torpedo"? Please advise.

Regards,
John B. Gilleran, M.D.
Oklahoma City, Okla.

Dear Dr. Gilleran: Thanks truly for your generous donation. On the matter of the torpedo, you are of course correct, since there isn't a market in halves of torpedoes!

Cordially,

—WFB

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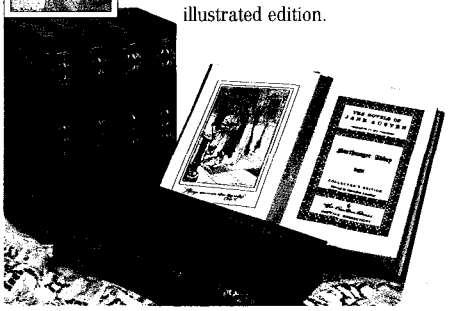

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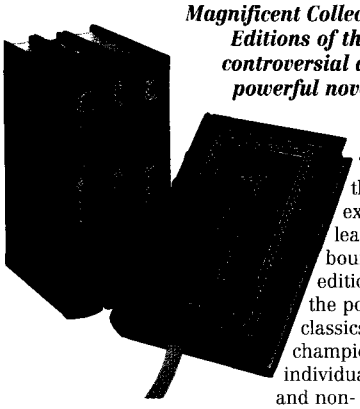

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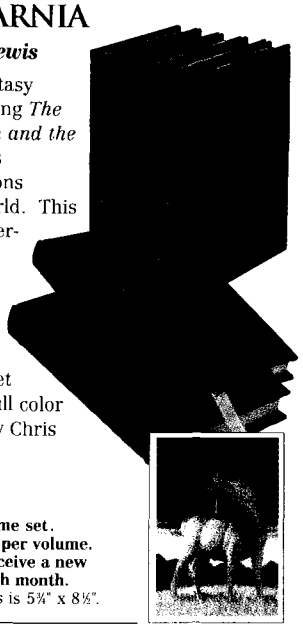

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■ THE NATION ■

A Sense of Dishonor?

The case of Bob Kerrey

JOHN O'SULLIVAN

WHAT is most unnerving about former senator Bob Kerrey's defense against the charge that he is a war criminal is his apparent lack of indignation. An innocent man charged with rounding up and shooting unarmed civilians—including women, children, and a baby—and leaving behind a pile of corpses, would usually express outrage at being foully traduced. He would certainly denounce the motives of his accusers and perhaps demand some sort of recompense for the slur on his honor. He might threaten a libel action to regain his good name—even if a public figure has almost no chance of winning substantial monetary damages in today's legal climate.

Yet the senator has done nothing of the sort. He has retreated instead into a kind of neurotic confessional mode in which he denies the actual charges made by the article in *The New York Times Magazine*, but then pleads guilty to nothing in particular of the most haunting kind. Thus, in the senator's own words: "I went out on a mission and, after it was over, I was so ashamed I wanted to die." He has spoken of feeling a fraud for accepting a medal for his leadership on that night. And Kerrey's distinguished defenders in both parties have taken similar lines in anguished psychobabble—suggesting, for instance, that he has a right "to keep this memory private."

A war crime cannot, of course, be treated as a private matter. And if Kerrey is innocent of such a crime, he should wish to establish clearly not only his own innocence but also that of his Navy SEAL colleagues. What explains his reluctance or inability to do so in a straightforward way?

The simplest explanation is that Kerrey is lying; that he did take a leading part in deliberately killing innocent civilians and that he is now orchestrating a cover-up to protect his hide and his future career. Evidence to support such a dark conclusion, alas, is not lacking. As Thomas H. Lipscomb pointed out in a UPI commentary, Kerrey's account of what happened—his unit fired round after round into the village, and, when they entered it, discovered the Vietnamese civilians all dead and neatly stacked up in the middle of the village—is inherently implausible.

Bob Kerrey by Ismael Roldan

After years of war, the villagers would have developed some survival skills and known better than to collect in the village square during a firefight. Even if they had presented such an easy target, Kerrey's men would have had to have been extraordinary marksmen to hit them all by firing with light weapons on a dark night through heavy jungle foliage—and still more uncannily accurate to kill (not just wound) all of them.

Admittedly, the Vietcong might either have retrieved the wounded or, quite possibly, themselves shot the villagers, leaving them for the Americans to find. As Lipscomb points out, however, the Vietcong did not usually retrieve wounded civilians. And if they had murdered the unarmed villagers, surely Kerrey and his men would have reported such an atrocious enemy war crime on their return. But they didn't.

Taken together with Sen. Kerrey's half-ashamed demeanor since the allegations were made, these implausibilities count heavily against him. Occam's razor—the philosophical principle that the simplest explanation of any event is generally to be preferred to other accounts—would suggest that he is guilty as charged by the *New York Times*. Of course, Occam's razor is a general guide rather than an infallible test. So what is the alternative explanation?

It comes down to three linked possibilities:

1. Sen. Kerrey is not guilty as charged, but is guilty of something. During the assault on Thanh Phong, he did something of which he is ashamed and has no wish to defend before the world. Suppose, for instance, that Gerhard Klann (the Navy SEAL who is the source for the *Times* story) is telling the truth when he alleges that Kerrey helped him kill an old man whom they thought to be a Vietcong lookout. That would be a grisly deed, and if they later concluded that he was not an enemy agent, his death would be a tragic mistake. It would not, however, be a war crime. Civilians are sometimes mistaken for soldiers, especially in guerrilla warfare when soldiers disguise themselves as civilians. And since an old man can as easily shout a warning as a young man, age is properly no guarantee against attack. It would be very understandable if Kerrey returned to base that night with a heavy heart and cursing the war. He might still find that particular incident—essentially a fatal military mistake—too painful to discuss. And he might salve his feelings by confessing to . . . nothing in particular and everything in general.

2. The discrepancies and implausibilities in the account of the Thanh Phong assault given by all of the Navy SEALs

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except Klann are exactly what we should expect in honest accounts of a frightening and confusing event that happened a long time ago. Even contemporary eyewitness accounts are generally mistaken on some points. And when we have massaged painful memories over a long period, we have generally embroidered them as well. As Sir Robert Morton, the cross-examining lawyer in Terence Rattigan's play *The Winslow Boy*, observes of an honest witness whom he breaks down: A simple liar would have put together a far more plausible story.

3. Finally, Kerrey, like almost all Democrats and the media, has internalized the Left's version of the Vietnam War. After 30 years of amendments to suit the political purposes of liberalism, that version is now quite complicated. To oversimplify, however, it goes something like this: The Vietnam War itself was the essential war crime because it compelled ordinary soldiers to commit war crimes in order to survive; but the Vietnam vets who fought the war were heroes—especially if they were Democratic candidates who could rid their party of what by 1980 was the stigma of being anti-defense. So when Kerrey steps forward and explains his actions at Thanh Phong, not only does he give a suspiciously confused version of events, he also defends himself by blaming the war. In an elliptical way, of course, so that he ends up declaring: "The Vietnam War made me do—something."

Whereupon Sens. McCain, Cleland, Hagel, and John Kerry all step forward to declare him an authentic war hero who deserves to be left alone to solve his own anguish. The effect of this, of course, is to entrench the Left's view of the Vietnam War as the authorized version binding on all. We are served notice that if we wish to protect an apparently decent moderate Democrat like Bob Kerrey, the price of his absolution is an endorsement of the Vietnam-as-war-crime doctrine. Kerrey, Lt. William Calley, or anyone else who might have committed crimes while fighting is thereby acquitted. Whereupon it follows, as night follows day, that Presidents Kennedy, Johnson, and Nixon and (of course) Secretary of State Kissinger must take their places in the dock.

In neither legal nor historical terms, however, can the guilt or innocence of Lt. Kerrey at Thanh Phong be determined by whether Lyndon Johnson acted rightly in pushing through the Tonkin Gulf resolution. Nor can we take refuge in a Good Ol' Boy verdict of "there but for the grace of God go I"—since that is a guilty verdict expressed in a euphemism. Unfortunately, it is very hard to see exactly how Kerrey's guilt or innocence can now be established.

The preponderance of evidence, as outlined above and tested against Occam's razor, seems to be against Kerrey. But the weight of it falls somewhat short of the "beyond a reasonable doubt" standard that is required for a conviction. Nor does it seem likely that either new evidence or contemporary witnesses can change this stalemate. Kerrey's comrades (however innocent) have an interest in supporting his denials, and the Vietnamese witnesses cannot speak freely since they are living under a totalitarian regime. A congressional or U.S. Navy inquiry might bring some new information to light. But neither is likely to settle the matter.

That puts the ball firmly in Kerrey's court. Either he should step forward, firmly declare his innocence of any war crime, and take legal steps to recover his good name, or he should equally frankly admit that he committed actions of which he is so deeply ashamed that he cannot in good conscience continue in public life. What he cannot do is confess vaguely to dark deeds, leaving open the possibility of a war crime, and then give the keynote address to a conference of New Democrats.

One final point. It seems unlikely to me that a "benefit of (military) clergy" defense would be allowed to protect, say, Newt Gingrich from allegations of war criminality. It strikes me as still more unlikely that *Newsweek* would have sat on a similar story about, say, Pat Buchanan just because he seemed unlikely to be elected president. And I cannot help reflecting that Republicans like Dan Quayle and George W. Bush have suffered worse abuse from the media for not serving in Vietnam than Kerrey has sustained for the not wholly implausible accusation of mass murder. But doubtless I am biased. **NR**

■ **PUBLIC POLICY** ■

Brave New Reformer

W. proceeds with Social Security

RAMESH PONNURU

If George W. Bush's father had run on the same Social Security plan in 1988 that the son did in 2000, Michael Dukakis would have been our 41st president. As President Bush forges ahead on entitlement reform, that thought should give him comfort that the politics of the issue has changed—but also remind him of the risks that remain.

Bush has just named a commission of eight Republicans and eight Democrats who agree with him that workers should be allowed to take some of the money they currently give to Social Security and invest it for themselves. The commission is supposed to report in the fall, and the president may ask Congress to act on its recommendations shortly thereafter.

Commissions are usually a cowardly pol's dodge: a way to appear to address an issue while actually ducking it. But in this case, even a commission is bold. President Bush could easily have shelved the idea of Social Security reform altogether, reasoning that a 50–50 Senate would never pass it. After the close, disputed presidential election, Bush had a mandate from the press to govern as though he were Al Gore. He has commendably declined the invitation, on Social Security as on other issues.

Bush exhibited the same mixture of boldness and caution last year. When he came out for a reform of Social Security based on individual investment, he prefaced his announcement with a series of conciliatory remarks. He allowed that Social Security was "the single most successful government program in American history." He said that he would never countenance any reduction in benefits for those who are currently retired or will soon retire. He promised that partic-

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ipation in an investment program would be voluntary. He noted that prominent Democrats such as then-senator Daniel Patrick Moynihan supported his idea. Bush was not an ideological enemy of the program, not a radical, not a threat.

Opinion is divided about whether the issue helped Bush in the election. Reformers brandish Election Day polls in which 57 percent of voters favored individual investment (39 percent were opposed). The proposal was more popular than Bush himself was. Skeptics, notably conservative activists Jeffrey Bell and Frank Cannon, argue that Al Gore's ad barrage against Bush's plan in the closing days of the campaign worked—erasing what had been a Bush lead. The same exit polls cited by the reformers show that among those voters for whom Social Security was the most important issue in the election (14 percent of the electorate), 58 percent chose Gore and only 40 percent Bush.

In other words, a majority of all voters may have favored reform, but the opponents were more motivated. It's possible that Bush could have done more to rally his own troops. His response ads did a good job of defending the plan against Gore's charges—reminding voters that he would not cut benefits, and so on—but didn't sell the plan's advantages to young investors.

Even if the issue ended up hurting Bush, that doesn't mean he made a political mistake in raising it. Republican strategist Ed Gillespie notes that Social Security was going to be an issue anyway—Democrats would have found a way to accuse Bush of threatening benefits whatever he said. Taking the position he did allowed Bush to set the terms of debate instead of merely denying he would cut benefits. As a result, the issue hurt Bush less than it had hurt Bob Dole in 1996. Also, as Gillespie notes, Bush's position "defined [him] as future-oriented, forward-looking, and bold."

Bush's task now is to persuade Congress to be bold as well. The goal of his new commission is to build congressional support for Bush's general concept rather than for detailed legislation. The administration judged that it was too early to involve sitting members of Congress in the debate in a formal manner, so it didn't name any to the commission. Its hope is that the commissioners will help establish that there are smart, thoughtful advocates for reform from both parties.

Opponents of Bush's plan say that the commission is a sham. Tom Daschle and Dick Gephardt held a press conference to charge that it lacks genuine bipartisanship because its members all agree with Bush. But the commission's Democrats are not marginal figures or Democrats in name only. Moynihan, the co-chairman, is a Democrat in good standing. Sam Beard is a former aide to Robert F. Kennedy who supports reform because it will help poor people accumulate wealth. These guys aren't their party's equivalents of Jim Jeffords.

Pat Moynihan, co-chairman of the new Social Security commission, by Roman Genn

The attack by Daschle and Gephardt shows the charged climate in which the commission will be operating. It was also a trial run for some of the opponents' arguments. They are sure to take advantage of the stock market's recent troubles. Daschle said, "I would ask anybody, a year ago, if you had the choice of investing in your NASDAQ account or investing in Social Security, which of those two accounts would be better today, which would be stronger? And there is no doubt in our mind that a Social Security account over the last year would have been far stronger."

It's not a serious argument. Nobody's talking about putting a lifetime's savings in the market all at once a year before retirement and withdrawing it a year later. Reform contemplates investing over the course of a lifetime of work. Over the long run, stocks (and other possible investments) are less volatile than in the short run. Phil Gramm, the Senate's lone economist, rebuts Daschle thus: "If you look at the last five years, we haven't had a bear market. If you could have bought five years ago with a guarantee the market would be where it is today, would you have taken it? You would have taken it." The markets would have to slide a lot further to disprove his point.

Surveys suggest that most people who invest do so for long-term purposes. The bear market has not spooked them: Money has kept flowing into defined-contribution pension plans throughout the last year. In a Gallup poll in early April, 58 percent of adults still expected 401(k)s, IRAs, and the like to be "a major source of income" in retirement. Only 28 percent said the same of Social Security. Rob Portman, a Republican congressman from Ohio and one of Bush's lieutenants on the Hill, says that the dot-com bust hasn't yet made his colleagues any less willing to advocate reform.

The bear market isn't the only argument Daschle has at his disposal. The money workers send to Social Security is mainly spent on benefits for today's retirees. Bush has to find a way to continue to fund those benefits while also letting workers sock away some of the money for themselves. That double burden may make his plan look expensive. In the long run, though, it isn't. Social Security is already effectively obligated to pay for both generations' retirements, so Bush's plan does not impose new costs. What he does is make the program's implicit debt explicit—which gives the Democrats an opening to call him a budget-buster. The commission needs to find a simple way to explain this to the public.

Moynihan is another potential trouble spot. If he supports Bush all the way through, it will be very helpful. (Indeed, in that case Bush should consider naming the personal accounts he wants to create "Moynihan accounts.") But in the past, Moynihan has insisted on hiking the payroll tax as part of reform—a move Bush has rejected. In his executive order forming the commission, Bush said that the commission should devise a plan that does not involve tax hikes. Still, Moynihan could bolt. On many issues over the years—racial preferences, welfare,

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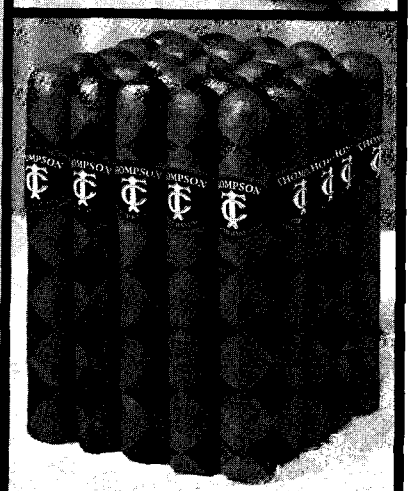

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impeachment—he's been with conservatives on the premises but not on the conclusions.

There is also the danger that Democrats will come up with an attractive proposal of their own. In the past, they have either denied that Social Security needed any changes or (more rarely) favored a mix of benefit cuts and tax increases. In 2000, however, the appeal of Bush's plan forced Gore to propose to help people accumulate wealth in accounts outside of Social Security. That plan didn't fix the lousy deal that Social Security is, but it enabled Gore to say that his plan had the advantages of Bush's (high investment returns) without the disadvantages (threatening Social Security).

Gore didn't talk much about his proposal on the trail, preferring to rail against "the powerful." But it could pose a legislative threat to Bush's plan. There will be considerable pressure for Bush's plan to include tight regulations on permissible investments, especially since many workers are not experienced investors. There may also be restrictions on who can manage the investments. A Gore-type program wouldn't need such regulations because no Social Security money would be at stake; it would be easier to run such a program through existing work-based pension plans.

Under these circumstances, a Gore-type plan would have more to offer the financial-services industry than Bush's. If Democrats outmaneuver Republicans in this manner—so that the strongest potential constituency for Social Security reform ends up opposing it—Bush's plan is dead.

That's something more for the commissioners to chew over. For now, though, it's worth pausing to give credit to the free-market minds who came up with Bush's idea, and to Bush for running with it. In the past, all conservatives had to offer on Social Security was less—fewer benefits, higher retirement ages, etc. It was the same dismal politics conservatives had practiced for years on budget matters, when they used to oppose both spending increases and tax cuts for the sake of balanced budgets. What Bush has done is a political move comparable to Reagan's discovery of supply-side economics. He's transformed the debate, and that's no small thing. **NR**

■ **PUBLIC POLICY II** ■

Weak Non-Reformer

W. caves on education

KATE O'BEIRNE

It would be something of an understatement to say that the Bush education-reform program is distressing Hill conservatives. When House Republicans met on May 2 to be briefed on the details of the latest compromise, Rep. Jim DeMint from South Carolina ruefully summed up the feelings of a good number of his colleagues: "When the president talked about reform, we didn't realize he intended to 'Leave No Democrats Behind.'"

Later that morning, DeMint attended a meeting of the House Education and the Workforce Committee to consider the "No Child Left Behind Act of 2001." The first order of business in the small hearing room packed with lobbyists and administration officials was to consider a Democratic amendment to eliminate a modest private-school-choice provision from Chairman John Boehner's version of the bill. The amendment was adopted—with the support of five Republicans as well as the committee's 22 Democrats. The Democrats had removed the final obstacle to their support for the bill—as H.R. 1 was stripped of the only remaining reform conservatives felt could justify their support of a plan the Heritage Foundation was now dubbing "an expensive version of the status quo."

During the committee debate, Republican congressman Bob Schaffer of Colorado described the school-choice provision—which would permit low-income children in persistently failing schools to use up to $1,500 of federal aid toward private-school tuition—as "the heart of the Bush education proposal."

But when Schaffer implored his Republican colleagues, "Don't abandon our president on the most central provision of his program," he was in fact fighting a battle the administration itself had abandoned. A White House education aide—explaining that conservatives should have done more to lobby lawmakers on school choice, instead of expecting the White House to do it—said that the issue was "never central to the president."

The Bush campaign had pleased conservatives by insisting on an impressive set of education-reform priorities: consolidation of federal programs, relief from federal rules, and consequences for failing schools. But conservatives waited in vain during three months of negotiations on the education bill for a signal that these provisions were actually critical to the administration. Instead, the flexibility and consolidation provisions were dramatically watered down, and Bush's big proposed increase in federal education spending became even bigger.

It was not local control and spending restraint that became the cornerstone of the Bush agenda; pride of place belonged to the administration's plan for a major new federal testing mandate—a measure conservatives oppose, because it increases the likelihood that a uniform national curriculum will be imposed. In March, Sandy Kress, Bush's top education adviser, actually suggested that this was the only non-negotiable policy in the bill, declaring at an education symposium that without annual testing in grades three through eight, "there will be no bill signed." Rep. John Shadegg of Arizona, chairman of the conservative Republican Study Committee, remembers warning Vice President Cheney weeks ago that his fellow House conservatives would have a difficult time backing a system of national testing. "I told the vice president that Clinton proposed national testing and we fought him to the death. Our conservative constituents will see flagrant hypocrisy" if we back it now, Shadegg recalls.

Michigan Republican Peter Hoekstra was one of the members who opposed Clinton's testing proposal, but says he would have been willing to support some version of mandated testing this year—absent a uniform federal yard-

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stick—if it had been part of a compromise to secure some conservative reforms. In discussions with the White House, Hoekstra and Schaffer argued that a final bill had to include a consolidation of scores of federal programs, relief from other federal mandates, and private-school choice. The administration balked, insisting that the final reform bill had to be bipartisan.

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It's 'no longer a George Bush education bill [but] a Ted Kennedy education bill.'

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Hoekstra now sees the weeks he spent in private meetings—in the hope that conservatives' concerns would be addressed—as a mistake. "Conservatives and others have to recognize you can negotiate with the White House and leadership, but if you don't go public, you get nothing," he concludes. Hoekstra is now blasting the legislation, telling the *New York Times* that it's "no longer a George Bush education bill [but] a Ted Kennedy education bill."

Hoekstra has been joined by a score of conservative organizations that oppose the negotiated version of the president's reform. Gary Bauer's daily fax has declared, "Education Bill Gets Hijacked," and a press release from the Family Research Council proclaims, "House Education Bill Gets Failing Grade." At a yearly meeting between social conservatives and the House leadership in early May, the representatives of grassroots groups found themselves the only ones defending the original version of the president's education bill. In a recent meeting with disappointed conservatives, House Speaker Dennis Hastert didn't dispute any of the policy objections they raised, but pointed out that the administration wanted the compromise bipartisan bill.

The White House has made clear that the compromise bill is now the president's plan, so the bipartisan House bill and Kennedy's companion proposal in the Senate represent what the final legislation will include. Sandy Kress has been closely monitoring the reform compromises, and predicts, "We're going to get a bill which is very, very close to what the president wants."

What the administration really wanted was bipartisanship, at whatever cost; as a frustrated Bob Schaffer explains, "The Republicans want a political win, and the Democrats want a policy win." And polls tell the GOP that its new bipartisan reform vehicle is a political winner: Three polls in April found Republicans outperforming Democrats on the education issue. Kentucky senator Mitch McConnell predicts that the majority of Republicans will ultimately support whatever bill the president endorses because Bush "has taken us [from] a 20-point deficit on education . . . to a point in which we lead on education."

But one conservative strategist wonders why the White House is so eager for bipartisanship, when it now appears that Democrats are in need of remedial help with the public on the education issue. "If the Democrats had a big advantage on defense issues, the last thing they would do is reach out for a compromise with Republicans," the strategist explains.

While they recognize that the liberal compromise will likely pass, congressional conservatives hope to be able to offer the original version of President Bush's reform on the floor when the House takes up the education bill, so they can express their support for the president without backing the Bush-Kennedy reform. But they are resigned to a future Rose Garden ceremony—prominently featuring the president's Democratic partners—in which George W. Bush signs what Congressman Hoekstra calls "the biggest expansion of the Education Department since its creation by Jimmy Carter." NR

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■ POLITICS ■

Out of the Arena

Pat Robertson, past and present

JOHN J. MILLER

PAT ROBERTSON recently committed what may be the most startling gaffe of his career. It was a big belly flop of a blunder, one that might have finished off his reputation among conservatives. What's truly amazing, though, is how little reputation he had left, even before this late offense.

During a CNN interview on April 16, Wolf Blitzer asked Robertson, chairman of the Christian Coalition, for an opinion on "the so-called forced abortions in China." It wasn't clear what Blitzer meant by "so-called"—either abortions are forced or they aren't, and in China they are—but it was a high, hanging softball of a question for any pro-life spokesman. Robertson managed to whiff, somehow. He thought it was worth considering the matter from the perspective of the Chinese government: "They've got 1.2 billion people, and they don't know what to do. If every family over there was allowed to have three or four children, the population would be completely unsustainable." He went on to cite "the risk of a tremendous unemployment" and the tragic possibility that the Chinese people would become "too restive." Robertson summed up: "So I think that right now they're doing what they have to do. I don't agree with the forced abortion, but I don't think the United States needs to interfere with what they're doing."

They're doing what they have to do. Now *that's* a hard comment to live down. Any pro-life leader who defends China's forced-abortion policy isn't going to remain a pro-life leader for long. Robertson later released a state-

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ment saying that, come to think of it, "I am unalterably opposed to the policy which would result in forced abortions." But the damage was done. "His comment went right to the heart of the organization's issues," says Chuck Cunningham, a former Christian Coalition lobbyist. "He stirred up a hornet's nest with the state affiliates."

Or at least what remains of them. There used to be one in every state, but today only a handful are still vigorous. The Christian Coalition, to tell the truth, has collapsed almost completely. The group's clout on Capitol Hill barely registers. In April, it canceled its national convention. "The Christian Coalition is a hollow shell," says Michael Cromartie of the Ethics and Public Policy Center. "There's nothing left."

It's tempting to blame the whole mess on Robertson. He has, in fact, demonstrated a powerful penchant for goofiness. Appearing on his *700 Club* television show three years ago, he made an apocalyptic prediction about "Gay Pride Day" at Disney World. "I would warn Orlando that you're right in the way of some serious hurricanes, and I don't think I'd be waving those flags in God's face if I were you," he said. "A condition like this will bring about the destruction of your nation. It'll bring about terrorist bombs, it'll bring earthquakes, tornadoes, and possibly a meteor."

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Robertson can't seem to go more than a few weeks without delivering another head-spinner.

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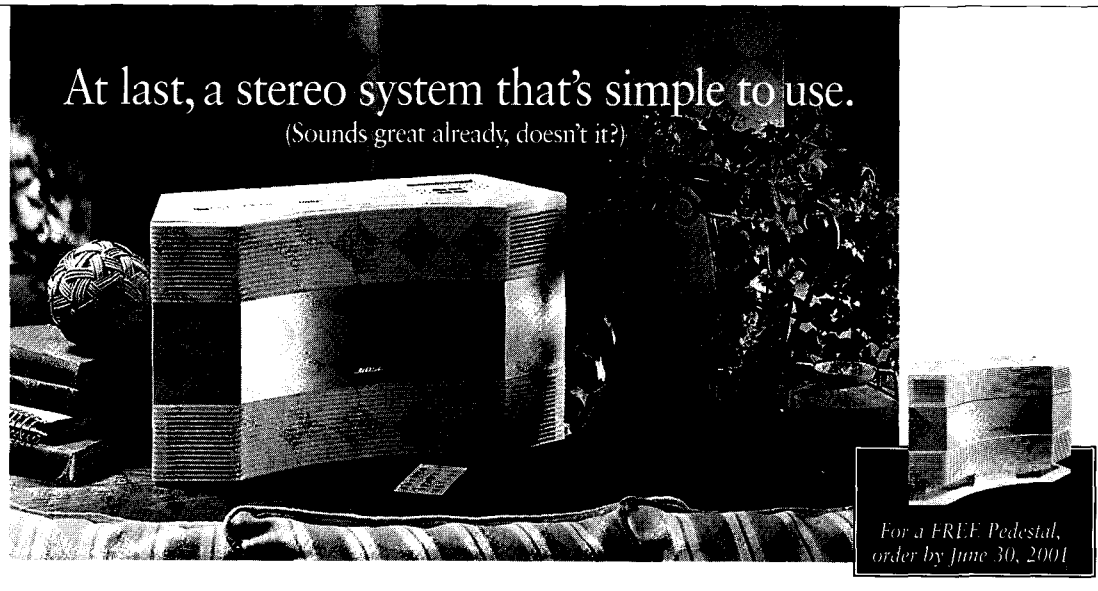
Perhaps it's possible to laugh off a couple of stray comments like that one—except that Robertson can't seem to go more than a few weeks without delivering another head-spinner. He has also made this declaration: "Just like what Nazi Germany did to the Jews, so liberal America is now doing to the evangelical Christians." Robertson's intemperate remarks have often galled conservatives. Shortly before the 1996 election, for instance, he declared that Bob Dole didn't stand a chance. During Bill Clinton's impeachment ordeal, he repeatedly urged Republicans to give up: "From a public-relations standpoint, [Clinton has] won. They might as well dismiss this impeachment hearing and get on with something else, because it's over as far as I'm concerned." Statements like that are helpful neither to the conservative cause nor to Robertson's own. Such a proclivity for unmeasured rhetoric is a debilitating handicap—the sort of thing that can uproot and destroy whole organizations.

Nobody can deny that the Christian Coalition made a lasting imprint on



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American politics. Founded shortly after Robertson's failed presidential bid in 1988, the group soared to great heights in a very short time. It fought a guerrilla war against the National Endowment for the Arts during the first Bush administration, and its dues-paying membership boomed after Clinton's inauguration. The Christian Coalition was a major player in the GOP takeover of Congress in 1994. This was no small feat, and while much of the credit should go to people other than Robertson—former executive director Ralph Reed arguably was more responsible—a good deal of it necessarily must reflect back on the fellow sitting atop the organizational chart.

But now there's no organization left. Like an insect that takes wing, mates, and dies in a single day, the coalition accomplished quite a bit in a short period—and vanished. The group's current leaders say they distributed 70 million voter guides last fall, but their impact was not nearly as great as in the past. "We can't count on that line of communication anymore," says Rep. Tom Reynolds, a New York Republican. Former Christian Coalition operative Marshall Wittmann puts it more bluntly: "The religious Right as a political institution doesn't exist."

Is this Robertson's fault? It's tempting to blame him, but a better question is why evangelical politics in general has failed to institutionalize itself. Jerry Falwell's Moral Majority also saw some political success (Ronald Reagan's 1980 election) and then fell off the map after about ten years. To be sure, there are plenty of groups that advance the interests of Christian conservatives, but these are typically small outfits that focus on discrete issues, such as abortion or home schooling. The evangelicals' failure to sustain a broad-based national organization devoted to electing candidates is odd. Feminists and union members have done it; why not evangelicals?

The problem may be a fundamental one: Evangelicals live in the City of Man, but devote themselves to the City of God. Politics has its place, but that place is a low one. For the secular Left, of course, there is only the City of Man, and there may be no higher vocation than political activism. This puts Christian conservatives at a relative disadvantage when it comes to organization. To compli-

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If movements succeed, they go out of business—but leave behind a landscape transformed by their labors.

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cate matters, evangelical politics is much like evangelical churches: centered on individual, charismatic personalities who operate in highly entrepreneurial environments. These leaders are not held accountable to ecclesiastical bodies the way, for instance, priests must submit to the authority of the Catholic Church. Their autonomy may lead to innovation and astonishingly rapid success, but it also undercuts stability and sets the stage for spectacular crashes.

Even the most successful evangelical churches can disappear overnight, as when a popular pastor dies—or, in the case of Robertson, diminishes his standing by making a series of flaky statements. Yet Robertson's influence may live on, and in this sense the Christian Coalition may matter even after it's gone. "One of its primary goals was to create a distinctly evangelical voting bloc," says University of Akron political scientist John Green. "And there's no doubt this has happened." In 1960, only 38 percent of active evangelical Protestants considered themselves Republican; by 1988, that had grown to 53 percent. Five years ago, 70 percent favored Dole; last fall, 84 percent voted for Bush. Much of this movement would have happened without the Moral Majority or the Christian Coalition, but it's hard to believe the shift would have been so complete without organizations devoted to bringing evangelicals into the GOP. "Today, when Republicans think about their base, they think about evangelical voters," says Green. "This wasn't true twenty-five years ago."

The evangelicals may not have institutionalized themselves, but existing political institutions have absorbed them. That's how movements work. If they succeed, they go out of business—but leave behind a landscape transformed by their labors. When 84 percent of the Christian Coalition's target audience votes a single way, there's arguably no need for voter guides to inform them of the difference between Republicans and Democrats. They already know. Whatever outreach needs to occur can be done through established groups, such as the GOP itself.

As for Pat Robertson, he won't go quietly. He'll continue to attract mainstream attention, but will have no authentic constituency. His supporters are already looking elsewhere for leadership. **NR**

Pat Robertson by Ismael Roldan

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Baltimore, MD— As unbelievable as it seems the key to stopping many cancers has been around for over 30 years. Yet it has been banned. Blocked. And kept out of your medicine cabinet by the very agency designed to protect your health—the FDA.

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You read that right. He was not only shut down—but also forced out of the country where others benefited from his discovery. That was 32 years ago. How many other treatments have they been allowed to hide? Just as in the case of Dr. Burton's miracle serum these too go unmentioned.

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Decades ago, European research scientist Dr. Johanna Budwig, a six-time Nobel Award nominee, discovered a totally natural formula that not only protects against the development of cancer, but people all over the world who have been diagnosed with incurable cancer and sent home to die have actually benefited from her research—and now lead normal lives.

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However, when she went to publish these results so that everyone could benefit—**she was blocked by manufacturers with heavy financial stakes!** For over 10 years now her methods have proved effective—yet she is denied publication—blocked by the giants who don't want you to read her words.

What's more, the world is full of expert minds like Dr. Budwig who have pursued cancer remedies and come up with remarkable natural formulas and diets that work for hundreds and thousands of patients. *How to Fight Cancer and Win* author William Fischer has studied these methods and revealed their secrets for you—so that you or someone you love may be spared the horrors of conventional cancer treatments.

As early as 1947, Virginia Livingston, M.D., isolated a cancer-causing microbe. She noted that every cancer sample analyzed (whether human or other animal) contained it.

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They walked away from traditional cancer treatments...and were healed! Throughout the pages of *How to Fight Cancer and Win* you'll meet real people who were diagnosed with cancer—suffered through harsh conventional treatments—turned their backs on so called modern medicine—only to be miraculously healed by natural means! Here is just a sampling of what others have to say about the book.

"We purchased *How to Fight Cancer and Win*, and immediately my husband started following the recommended diet for his just diagnosed colon cancer. He refused the surgery that our doctors advised. Since following the regime recommended in the book he has had no problems at all, cancer-wise. If not cured, we believe the cancer has to be in remission."

—Thelma B.

"I bought *How to Fight Cancer and Win* and this has to be the greatest book I've ever read. I have had astounding results from the easy to understand knowledge found in this book. My whole life has improved drastically and I have done so much for many others. The information goes far beyond the health thinking of today."

—Hugh M.

"I can't find adequate words to describe my appreciation of your work in providing *How to Fight Cancer and Win*. You had to do an enormous amount of research to bring this vast and most important knowledge to your readers.

My doctor found two tumors on my prostate with a high P.S.A. He scheduled a time to surgically remove the prostate, but I canceled the appointment. Instead I went on the diet discussed in the book combined with another supplement. Over the months my P.S.A. has lowered until the last reading was one point two."

—Duncan M.

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—Edward S.,MD

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—Romany S.

"I've been incorporating Dr. Budgwig's natural remedy into my diet and have told others about it. Your book is very informative and has information I've never heard about before (and I've read many books on the cancer and nutrition link). Thanks for the wonderful information."

—Molly G.

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■ CULTURE WATCH ■

Wiped Away

The destruction of cultural artifacts—and identity

DAVID PRYCE-JONES

SOON after Chairman Mao died, I went to China. That monstrous man had leveled without a trace the ancient and magnificent walls of the Forbidden City in Peking, now virtually a shantytown. I took a boat down the Yangtze. (Today, they are damming and diverting the river, so such a trip is impossible.) An old guidebook listed pagodas and other monuments along the banks. These had been pulled down in the Cultural Revolution—all there is to see now are industrial plants. Bang goes the Chinese past.

In the cause of Chinese imperialism, Mao's successors are busy eradicating the age-old and unique monasteries and lamaseries of Tibet. Bang goes the Tibetan past, too.

The killing of human beings goes to the moral core of our existence, whereas the destruction of artifacts primarily raises aesthetic concerns. True: except that killers devise ethnic, religious, or ideological justifications for themselves, and so make sure to attack the monuments and places of worship defining the identity of their victims. Cultural cleansing is part and parcel of the obliteration of a people.

Wasn't it ever so? Vandals, Goths, Huns, Mongols, made themselves bywords for ravaging everybody and everything within reach. Law-and-order Romans burnt Carthage and Jerusalem to the ground. Napoleon systematically looted the countries he conquered. A civilization builds slowly, and along comes some brute to stamp it out. "Everything that exists deserves to perish," says the devil in Goethe's *Faust*. That is the creed of nihilism.

Nihilism in the modern age gained the upper hand over civilization through Communism and Nazism. These totalitarian systems dispensed with everything that did not fit their project for the future. Thousands of historic churches and villages in the Soviet Union were deliberately eradicated. Then came the Germans, and by the time they had finished, Russia was virtually bare of its living past, as it is today. Marcus Hindus, reporting for the *New York Herald Tribune*, could describe the country elegiacally in 1945 as "a desert strewn with wreckages" from which had been blown away "some of the most exquisite and most joyful art man has created." The wastage is being repeated at Grozny, the capital of Chechnya, once a charming garrison town familiar to Lermontov and Tolstoy, today shelled by the Russians themselves to uninhabitable rubble.

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A civilization builds slowly, and along comes some brute to stamp it out.

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The Rape of Europa (1994), by the cultural historian Lynn H. Nicholas, amounts to an inventory of artistic losses during the last war. Great cities like Warsaw, Danzig, Dresden, Hamburg, and Konigsberg were devastated, and so were palaces, country houses, and monuments everywhere. As in a hurricane, libraries and scientific collections, altarpieces, the famous *Amber Room from the czars' palace at* Tsarskoye Selo, innumerable paintings and drawings by old masters, were blown away forever. Special attention was given by the Germans, Nicholas writes, to "'the trashing of the houses and museums of great cultural figures" such as Pushkin, Tolstoy, Chekhov, and Tchaikovsky.

Victorious Russians then repaid the Germans with interest. "Trophy art" was the euphemism they gave to everything they stole. Two Russian specialists, Konstantin Akinsha and Grigorii Kozlov, describe in their book *Stolen Treasure* (1995) the wholesale robbery of more millions of works of art, many of them to be lost in transit or damaged beyond restoration. Like Russia, postwar Germany remains permanently damaged.

Communist ideology has wrecked Cambodia, where the deranged Khmer Rouge installed military bases in Angkor Wat, a complex of Buddhist temples and one of the world's wonders. They closed down foreign scholarly institutes, and emptied the Phnom Penh museum. Today, dilapidation and pilfering are uncontrolled, with looted statues and carved door frames turning up on the black market. Bang goes the Cambodian past.

In Communist Romania under its dictator Nicolae Ceausescu, there was a Soviet-style plan to halve the country's 13,000 villages. In Bucharest, 40,000 people were evacuated from the old quarters of the city, known as Little Paris, most of which was then razed, including over thirty churches and monasteries, some dating back to the 17th century. When finally Ceausescu was overthrown in 1989, diehard Communists started shooting on the streets, and in so doing they set fire to the National Library. Irreplaceable incunabula, manuscripts, and books went up in flames. Bang goes the Romanian past.

The different peoples of former Yugoslavia have pulverized their country. Croats destroyed the famous 16th-century bridge at Mostar. Among much else, Serbs in Sarajevo alone destroyed the Begova Mosque, often described as one of the most important monuments in the Balkans; the National Library, in probably the largest book-burning in history; and the Oriental Institute. In Kosovo, they destroyed the Central Archives of the Islamic Community, and over a third of the 600 mosques in the province, many of them hundreds of years old. Throughout Bosnia, they dynamited mosques and Catholic churches. Vukovar, once an unspoiled Habsburg gem of a town, is now a ruin. Andreas Riedlmayer, sponsored by Harvard to write a report on these damages, stresses how little of the traditional Ottoman-era architecture has survived in Albanian areas. Serb Orthodox dignitaries have compiled a list of 79 of their churches wholly or partly destroyed. Bang go huge chunks of the history of all those involved in the fighting.

The Americas seem to have escaped.

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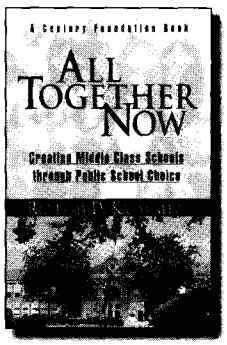

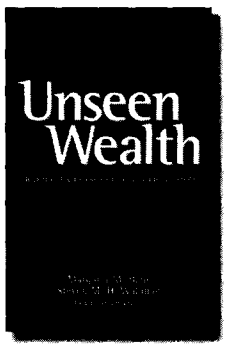

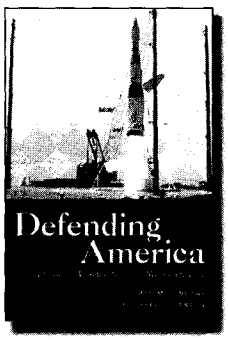

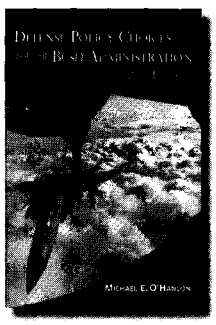

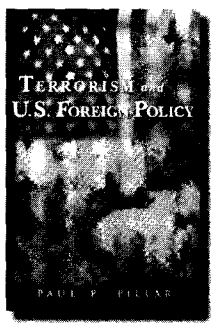

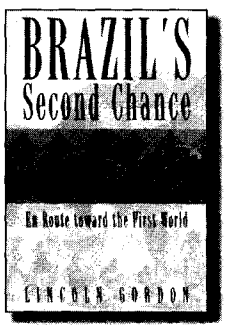

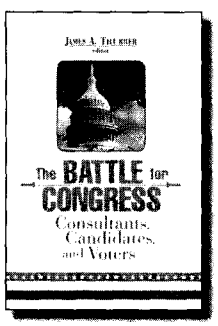

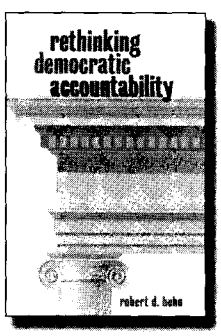

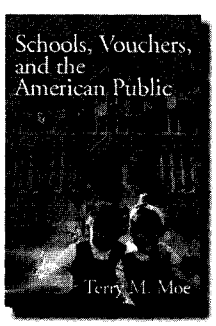

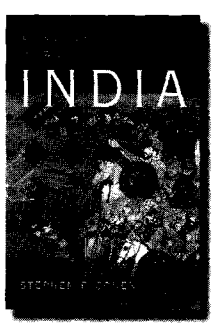

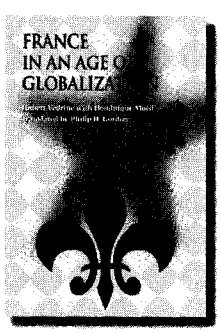

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The Sandinistas in Nicaragua did not have power long enough to eliminate local culture, and the Guatemalan guerrillas failed to acquire enough of it to do so. In African countries like Sudan, the two Congos, Angola, Mozambique, and Sierra Leone, the colonial past has been devastated. In his book about Liberia,

■

We are running out of cultures, in a global desert strewn with wreckages.

■

Monrovia Mon Amour (1992), Anthony Daniels has described how one among the competing tribal gangs entered the capital's Centennial Hall and cut the legs off the only grand piano in the country. For him, this symbolizes nothing less than the repudiation of civilization.

Cultural cleansing is a Middle Eastern specialty. During the civil war in Lebanon, Muslims and Christians destroyed Beirut and its historic center, the Place des Canons, where they had lived together, but more significantly innumerable towns and villages where they had lived separately. Fanaticized by the impulse to protect their own ethnic or religious kind, President Hafez Assad of Syria, an Alawi, flattened the Sunni city of Hama, and Saddam Hussein, a Sunni, turned artillery on the holy Shia sites of Karbala and Najaf in Iraq. Saddam's troops stole the contents of the Kuwaiti National Museum, which until then had been probably the finest Islamic museum in the world. Egyptian Muslim fundamentalists now and then demolish the villages and churches of the Christian Coptic minority. The Saudi regime forbids every religion except Islam, and has surreptitiously wiped from the kingdom archaeological vestiges of early Christianity. Palestinians have recently burnt out Jewish holy places, such as Joseph's Tomb outside Nablus and the Jericho synagogue dating back to the 7th century A.D.

The Afghan Muslim militia known as the Taliban (ironically meaning students) have reduced the National Museum of Kabul to a roofless ruin, smashed its exhibits, and also closed foreign scholarly institutes. In an act of barbarism, the Taliban have as well blown up the gigantic Buddhist statues cut out of the living rock some 15 centuries ago at Bamiyan. Bang goes the Afghan past. In the same spirit, Hindu extremists in central India recently destroyed the Ayodhya Mosque built by the emperor Baber in the 16th century.

We are running out of countries, Aleksandr Solzhenitsyn protested at the height of Soviet expansion. Now we are running out of cultures, in a global desert strewn with wreckages. We multiply the number of organizations whose aim is to protect mankind's heritage, but they are mere tokens, hand-wringing and ineffective in a world where advanced technologies of destruction are available to all. War, civil war, and ethnic and religious strife are destroying mankind's heritage in all its diversity at a faster pace and on a larger and more nihilistic scale than ever before. Contrary to the devil's dictum, what is perishing deserves to exist. **NR**

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■ **CULTURE WATCH II** ■

Summertime . . .

. . . and the livin' is dangerous

DAVE SHIFLETT

JUST when you thought it was safe to lock the kids in the car and go spend a few hours on the putting green, child-safety advocates have come forward to remind us that closed cars can turn into death ovens during the summer months. A coalition known as the National Safe Kids Campaign says at least 120 children have died over the past five years due to this type of criminal neglect, and so is unleashing a public-awareness effort built around the slogan "Never Leave Your Child Alone." In the same spirit, General Motors has unveiled a new radar device that can detect movement within a car and, should the car become dangerously hot, will start blowing a horn.

The Safe Kids Campaign is not only sending up flares about the danger of roasting children in cars, minivans, and pickup trucks. It is warning that summer itself is a time of great peril, accounting for nearly half of injury-related deaths to children—a total of 2,550 is projected for this summer—mostly due to drowning, bike crashes, and vehicular deaths. Former surgeon general C. Everett Koop says these deaths represent an "epidemic," adding that "if a disease were killing our children at the rate that unintentional injuries are, the public would be unbelievably outraged and demand that this killer be stopped."

This kind of warning rubs many of us the wrong way. Being told not to lock your children in a closed car in July seems a bit condescending, much like being asked not to throw them off a cliff or allow them to nap in the trash compactor. It is also disturbing to consider that some people make a living telling us not to lock children in hot cars, or let

Mr. Shiflett is a writer living in Midlothian, Virginia.

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toddlers swim in the outgoing tide, or spend our casual hours staring into the sun.

Perhaps the biggest problem is the hysterical tone employed by safety advocates. Dr. Koop, for instance, insists these deaths represent an "epidemic." What can that possibly mean? When most people think of an epidemic, they think of a ravenous disease of mysterious origin and widely devastating impact—the Black Death, for instance. Being killed in a bicycle accident or drowning in a backyard pool is hardly the same thing as succumbing during an influenza epidemic. And while there is no discounting the huge amount of heartbreak involved, the death projections, even if correct, do not rise to the epidemic level. There are, after all, around 70 million Americans under the age of 18.

The trick to enjoying life, including the summertime, is to recognize that almost anything worth doing can kill you or yours, but probably won't. Be reasonable, but don't make the absolute reduction of risk the central goal of life. Otherwise, you will end up stuck on the sofa—which, as we shall see, is not as safe as it's cracked up to be.

First, however, the cause of harmony and enlightenment requires that a few things be said about safety campaigns and those who manufacture them. Number one, they are based on the indisputable fact that there is no way to underestimate the stupidity of our fellow man. Some people really are too dumb to hit the floor with their hat. They believe they can get in a couple of games of bingo before Junior gets too hot out there in the minivan. These campaigns might, therefore, actually save a life or two in what I like to call the "moron community."

The other thing to remember is that many people in the safety business—Koop quite clearly among them—have been driven crazy by their work. I know the phenomenon all too well. I was once afflicted myself.

The time was the mid 1980s. A savage twist of fate landed me at the Consumer Product Safety Commission, where I was placed in the job of Director of the Office of Information and Public Affairs. Trouble introduced itself my first day on the job. A couple of lifers took me to lunch. On the drive to the restaurant, they talked shop—how many kids had drowned that year, the toll from accidental ingestion of furniture polish, a rash of incidents involving toddlers sticking their fingers into electrical sockets, and the unfortunate habit of some citizens to attempt drying their hair while in the shower. The scope of disaster widened to include lawn-tractor mayhem, deaths in baby strollers, and limbs and eyes dislodged by fireworks. The trip ended with an ominous glance skyward and a brief commentary on the deadly solar radiation beaming down upon us through a hole in the ozone layer.

In the coming weeks—and perhaps this reflects a somewhat light workload—I found myself poring over the agency's death and injury data. There were stats on the number of people killed playing golf, throwing lawn darts, placing aluminum ladders against high-voltage wires, falling down in the bathtub, tumbling down stairs, riding all-terrain vehicles onto frozen lakes and crashing through the ice, electrocuting themselves with devices designed to drive earthworms to the surface with the help of electrical impulses—even a gruesome case involving a deep-fat fryer.

Slowly but surely, the world took on the appearance of a big deathtrap. There was no refuge, not even in the bedroom, for there were statistics on the number of people killed in bed-related accidents—often children hanged between bunk-bed guardrails and mattresses, or smashed when the upper bunk crashed down upon the lower. Swing-set deaths, jungle-gym deaths, baseball deaths, football deaths, a T-ball-related death or two, plus choking on balloons and small toys. We had two young sons at the time. It was all one could do not to go out and purchase a couple of pint-sized cemetery plots, just in case.

In a moment of clarity, I realized that worrying about all this stuff was crazy. Life is something of a crapshoot, and the chances of being felled by a poorly tossed horseshoe (statistics also available) and suchlike are laughably small. So I made my break, and after several years the terror began to subside.

But I still fear for the poor devils who can't break free. They remain trapped in a world of fear and paranoia. Just the other day, I looked at some recent studies. According to CPSC figures, amusement-park rides sent some 10,400 people to the emergency room in 1999; the average number of non-occupational yearly deaths at fixed-site parks is 4.3 per year. Meanwhile, sports-related injuries among baby boomers (35–54 years old) rose from just under 276,000 emergency-room-treated injuries in 1991 to slightly more than 365,000 in 1998. The biggest killers among the boomers: bicycling (290 deaths a year, all but 35 motor-vehicle-related); swimming (67 deaths a year associated with swimming pools); and skiing (7 deaths a year). The statistics also covered basketball, golf, soccer, running, weightlifting, and in-line skating.

The news is little better for those hoping to dodge the Grim Reaper by sticking close to the couch. For example, the National Fire Protection Association reports that candles were involved in an annual average of 6,800 residential-structure fires from 1985 to 1995—resulting in an average of 680 injuries, 90 deaths, and estimated losses of $74 million. That's nothing to sneeze at. Sneezing too, it is rumored, can lead to death; and while firm statistics on this do not appear to be readily available, they are no doubt in the works.

Meanwhile, most of us are probably susceptible to Koop Syndrome in some form: an inordinate fear of lightning strikes, drowning, child abduction, etc. The only bright spot is the existence of ameliorative strategies: I suggest a series of cold Budweiser compresses accompanied by long bouts of sunbathing. These can also kill you, but not nearly as fast as worrying will. **NR**

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■ COVER STORY ■

Nasty, Brutish, and Short

Children in day care—and the mothers who put them there

RICHARD LOWRY

CONTEMPORARY culture values sensitivity and softness, the "nice" virtues, above almost all else: except, we have now learned, when it comes to one particular segment of the population. These are preschoolers who spend more than thirty hours a week in day care. *They*, it turns out, can possess all the fierceness of William Wallace, and most of the nation's cultural pooh-bahs will pronounce themselves well pleased. The new appreciation of aggressiveness comes in response to the now-infamous national study finding that long stretches away from a mother's care tend to make toddlers more aggressive and defiant.

This study, by the National Institute of Child Health and Human Development (NICHD), reports that kids in non-maternal care tend to be associated with qualities such as "gets in lots of fights," "cruelty," "explosive behavior," "talking too much," "argues a lot," and "demands a lot of attention." *Time* magazine, reflecting the line taken by many liberal commentators, responded this way: "Should we even be worried at all? The researchers noted that almost all the 'aggressive' toddlers were well within the range of normal behavior for four-year-olds. And what about that adjective, anyway? Is a vice not sometimes a form of virtue? Cruelty never is, but arguing back? Is that being defiant—or spunky and independent? 'Demanding attention' could be a natural and healthy skill to develop if you are in a room with 16 other kids." And getting in fights? Explosive behavior?

This line is in keeping with a tendency in academia and the media to find a way to pronounce *anything* associated with day care—up to and including infectious illness (about which more later)—a good thing, so as to shield working mothers from any bad news. Career moms need such coddling for a reason. Mothers who choose to work full-time jobs and routinely leave their young children with others for much of the day are not normal: They are a historical aberration; they represent a minority preference among women; and they run exactly counter to the standard of motherhood that should be encouraged by society. No wonder elite culture treats them as hothouse flowers, who must hear nary a discouraging word. But the fact is that working moms are at the very center of a variety of cultural ills. Maybe a little stigma is exactly what they deserve.

The last three decades have wrought a wrenching change in American family life, with the once-dominant traditional family—featuring a breadwinning father and a mother at home with children—becoming only one option in a lengthening menu. From the mid 1970s to the late 1980s, the percentage of kids under five with employed mothers nearly doubled. According to the Department of Labor, that number has continued to climb. Between 1990 and 1999, the percentage of mothers with children under age three who were in the job market increased from 53.6 percent to 60.7 percent. Many families rely on informal arrangements involving relatives, friends, and neighbors for child care, but about a third turn to institutional care. It is primarily to spare their feelings that the cultural elite strains to debunk studies like the recent NICHD one.

Usually, disturbing results in day-care studies are dismissed as the product of poor-quality care. But the NICHD study found the negative behavioral effects across the board, for every type of care, good, bad, or indifferent. Doubters have tried to minimize the study: 1) by arguing that it wasn't measuring anything bad about day care per se, just the effects of children being around other children. But the study controlled for this, and still found day-care kids more aggressive than kids at home with their moms. 2) By suggesting that the day-care-associated aggression was in "the normal range" for all kids. But the important fact is that

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You deserve a factual look at...

Ariel Sharon

Will his "yad chazakah", his strong hand, bring peace?

Ariel ("Arik") Sharon has now been elected Prime Minister of Israel. He decisively defeated Ehud Barak, who lost the election even though he had close to 100% support from the Israeli Arabs. Israel's Jews, having at long last understood the futility of the Oslo Accord "peace process" and of the appeasement of the Palestinians, were ready for a radical change. But Ariel Sharon is much maligned, often called a murderer and a war

What are the facts?

Myth #1: The war in Lebanon. Sharon's enemies accuse him of having launched the "Peace for Galilee" War in Lebanon in 1982 unnecessarily and without knowledge or permission from Prime Minister Menachem Begin. But that is nonsense, of course. Israel, in contrast to all Arab states, is a democratic country, governed by civilian authority. Not even a presumed "warlord" (as Sharon is regularly titled) could start any military action, let alone a full-blown war, without the full approval of the government. The war in Lebanon, reviled though it may be now, was at the time an existential necessity for Israel. An intense and vicious civil war between the Moslems and the Christian Maronites was going on in that country, a civil war that began in earnest when the PLO entered Lebanon in 1970. They established their own "mini kingdom" in that unhappy country. Over 100,000 people were killed. From their base in Lebanon, the PLO had launched innumerable terrorist attacks against Israel and was poised for a major invasion. When Israel "invaded" Lebanon, the Lebanese civilians, delighted to be freed from the terror of the PLO, greeted the Israeli soldiers as their liberators, with flowers of happiness and hope. Sharon led his victorious troops to the outskirts of Beirut. He refrained from entering Beirut itself only because of the tens of thousands of casualties it would have caused, most of them Lebanese. Under pressure of world opinion -- mostly, sad to say, that of the United States -- he allowed Arafat and his PLO to escape to Tunis, where they were poised to plan further mischief and destruction that destabilizes the Middle East until today.

Myth #2: The Massacre of Sabra and Shatilla. The gravest accusation against Ariel Sharon is that he condoned or perhaps even instigated the massacre of about 800 Lebanese Moslems in the Sabra and Shatilla refugee camps. The reality is that the perpetrators of this horrific crime were Christian Falangist murderers, who by stealth invaded these camps and acted in revenge of the assassination of Lebanon's president elect, Bashir Jamayel. Sharon's detractors claim that he should have been aware of this assault or that he was aware and did nothing to prevent it. But nobody outside the camps could have known what was happening, because the invading Christians used no guns -- only knives in perpetrating their crimes. Not a single shot was fired. *Time* magazine published a story on the events, in which it clearly accused Sharon of complicity in this horrendous crime. Sharon sued Time for libel -- and won. But the slander that Sharon was responsible for the massacre has not died down and continues to be assiduously propagated in Arab and Moslem media and also in much of the rest of the world.

> "The 'yad chazakah' -- the strong hand of Ariel Sharon -- is needed to bring peace with security to Israel and to the Middle East."

Myth #3: The "Al Aksa Intifada". The current Intifada -- the bloody uprising of the Palestinians against Israel -- did not, as the media like to report, start with Ariel Sharon's visit to the Temple Mount. That visit, which had been arranged beforehand and which had been "approved" by the Palestinian Authority, was simply a pretext. This uprising, which could be called the "Rosh Hashanah War of 2000", actually started days earlier, on September 23, 2000, when a Palestinian policeman killed point-blank his Israeli counterpart, with whom he had been on patrol two days earlier. Mr. Sharon's visit to the Temple Mount was simply the signal to start this uprising, which voluminous intelligence proves to have been planned way in advance. And why shouldn't Sharon, why shouldn't any Jew, be allowed to visit the Temple Mount, which, with its Western Wall, is the holiest site for all Jews, the focus of all their longings? Any Arab can visit any place, any holy place, including the Western Wall, in any part of Israel without being questioned and without being molested. What is it with the Moslems that they go berserk if a Jew visits one of their holy sites? To blame Sharon for provoking and starting the Al Aksa Intifada makes as little sense as to believe that World War I would not have started had Arch Duke Ferdinand not been assassinated in Sarajevo.

The media is mounting a smear campaign against Ariel Sharon, describing him as an out-of-control warmonger, a man on a perpetual warpath, someone who, if elected, would not hesitate to use troops against the Palestinians and all other Arabs. The reality is that Israel desperately needs Sharon. He is an Israeli hero, who played a decisive role in Israel's brilliant victory against combined Arab might in the Six-Day War, who, with his bold thrust into Egypt, encircled that country's Third Army in the Yom Kippur War and thus turned near-defeat into glorious victory, and who, in his various ministerial roles, has performed fearlessly and most successfully. After the disastrous regime of Ehud Barak, a man who was intimidated by President Clinton and who was putty in the hands of Arafat, the "yad chazakah" -- the strong hand of Ariel Sharon -- is needed to bring peace with security to Israel and to the Middle East. The Arabs in Palestine, Syria, and all the rest will know that this is a man that cannot be pushed around, but also that any agreements that he will enter into will be scrupulously kept. Welcome, Arik, as Prime Minister of Israel!

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there is an aggressiveness gap between children in day care and children at home. 3) By wondering if nasty-sounding "aggression" isn't really just healthy assertiveness (Sam Donaldson in the nursery). Yet the study distinguished between the two.

It's true that children in higher-quality care in the NICHD study were more cognitively advanced than kids at home or in poor-quality care, but this silver lining should be judged against a backdrop of decades of evidence that day care harms children. For roughly 25 years, research has found a correlation between day care and disobedience. So, day-care apologists have lots of practice in explaining it away (here's liberal psychologist Alison Clarke Stewart in 1989, hailing disobedient day-care kids: "They are not willing to comply with adults' arbitrary rules"). The drumroll of day care's negative effects on kids includes higher rates of illness, including acute respiratory illness, ear infections, and diarrhea; insecure attachment to their mothers (a 1994 international study found that 50 percent of children in care full time had an insecure attachment to their moms); and in the case of children of well-educated mothers placed in poor-quality care, slowed cognitive development (children apparently suffer from the contrast between the rich interaction they get at home and the less stimulating atmosphere in day care).

The feminist answer to any disquieting day-care study is always to call for spending on better quality care. Marian Wright Edelman, among others, sounded this reliable trumpet in response to the new NICHD study. But the search for the holy grail of high-quality care will be everlasting, like the quest for the elusive "true Marxism." What distinguishes high-quality care is lots of intense, personal attention (cooing, stroking, bouncing, babbling) over an extended period of time—in other words, exactly what real mothers would do, but for an hourly wage. This kind of care is hard to find, and expensive. A 1995 University of Colorado study found that only 8 percent of day-care centers caring for infants and toddlers were "high quality." The obvious response to bad news about day care shouldn't be to agitate to subsidize it further, but to urge moms to work less and spend more time with their kids. It's a notion that liberals never want to raise—they would sooner discuss reinstituting Jim Crow or exhuming and reexecuting the Rosenbergs.

WHERE DOES GUILT COME FROM?

Work has, in post-feminist America, become central to the identity of women (and child-rearing doesn't count). Work is an act of historical redemption for all those centuries of oppression and sexism, so that sounding at all skeptical about it is to be identified with those former forces of darkness. When negative day-care studies appear, there's a palpable worry, not that the children are endangered, but that women's careers are. *Time.com* ran a piece dismissing the NICHD study "in an effort to keep half of America's workforce from running screaming from their offices." Author Susan Chira captured the work-as-redemption sentiment perfectly in her *A Mother's Place: Choosing Work and Family Without Guilt or Blame*, as she described the release that came with leaving her newborn at home: "When I returned to work [full time], I left behind a gnawing sense of oppression, boredom, and guilt that had cast a pall over my maternity leave" (her maternity leave had been six months long; she took an 18-month leave to write her book).

As the subtitle of Chira's book suggests, avoiding guilt and bad feelings is an obsession for working moms. But where does this guilt come from? Is there one television show, for example, that portrays working mothers in anything but a heroic light? No, this guilt must be something working mothers conjure themselves, some tickle in the back of their brains saying that they shouldn't be abandoning their children for much of the day. (For a snapshot of the sheer physical alienation that leaving a young child at home entails, consider this passage from Brian Robertson's *There's No Place Like Work*: "Almost three hundred American employers, including Aetna, Eastman Kodak, Cigna, and Home Depot, now offer 'lactation support rooms' where female employees can take regular breaks to attach electric pumps to their breasts in order to collect the milk in bottles for their infants in day care. Some companies, aside from the 'pumping rooms,' have 'lactation consultants' to help mothers solve breast-feeding problems.")

■

For roughly 25 years, research has found a correlation between day care and disobedience. So, day-care apologists have lots of practice in explaining it away.

■

The media are chary of reporting negative day-care results partly out of a fear of offending working mothers, but partly also out of tribal loyalty: Many of the reporters are themselves working moms (including Chira, who reported on day care for the *New York Times* while experiencing its joys). This produces reliably biased reporting. David Murray of the Statistical Assessment Service has written about a characteristic episode. A study in *The New England Journal of Medicine* found that kids who attended day care in their first six months were less likely to have asthma at age 13. The theory was that by being exposed to so many germs and infections so early, the kids developed resistance. The *Boston Globe*, the *New York Times*, and the *Washington Post* trumpeted the study. *The New England Journal* editorialized: "For those of us who share the furtive guilt of having left marginally ill toddlers at day care, these findings . . . offer a sense of relief."

Murray noted the contrasting coverage of other, less convenient day-care studies. *The Journal of the American Medical Association* in October 1999 published a report finding that "attendance at a child-care center with six or more other children is an independent risk factor for a lower respiratory tract disease hospitalization in the first two years of life." Murray's search of the Nexis database found only a 450-word Associated Press synopsis of the report, which was picked up by no newspaper. Similarly, *Pediatrics* reported in

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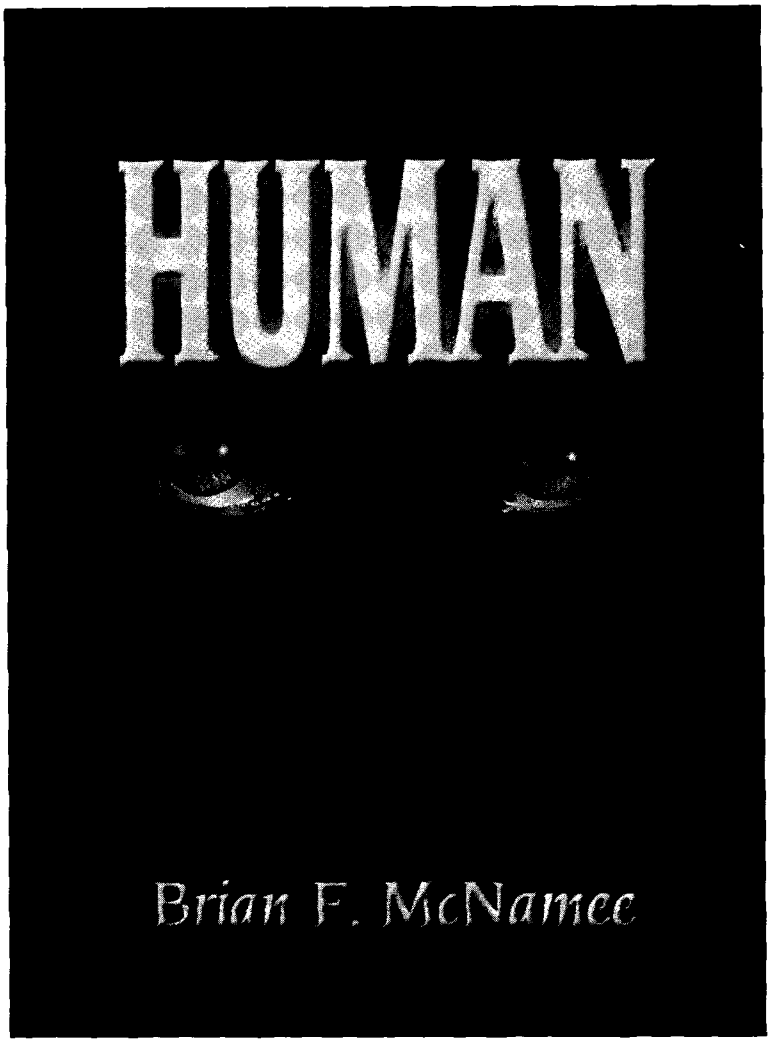

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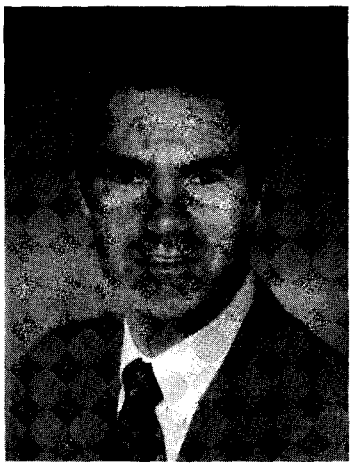

About Dr. McNamee...

Brian McNamee, M.D., has been a physician since 1971 and did his residency training at the world-famous Cleveland Clinic. He is presently a Clinical Instructor at Ohio University School of Medicine. In 1988, he graduated with highest honors from Cleveland State University Law School and embarked on a career in the practice of law. He continues to practice both law and medicine full time. He served as a consultant and expert in the recent civil trial of the famous Dr. Sam Sheppard murder case in Cleveland. His expertise lends an air of realism to the medicine, science, and trial scenes in his current novel **HUMAN**. All of the medicine and science in this story are factual and reflect the cutting edge of modern medical and genetic technology.

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September 1999 a study that showed an increased risk for a variety of respiratory illnesses associated with early day care. Murray's Nexis search showed no coverage at all of this research. So, the latest NICHD study was perhaps lucky to get any coverage at all, even the dismissive kind.

A DOWNWARD SPIRAL

Day care is the focus of much of the debate over working mothers, but the issue runs much deeper. The mass entry of women into the workforce has acted to dissolve the family in general. Once a woman is earning a salary comparable to a man's, marriage becomes economically less important while the opportunity cost of having children goes up (bearing a child will mean lost wages). Bottom line: As Francis Fukuyama points out in *The Great Disruption*, "substantial empirical evidence links higher female earnings to both divorce and extramarital childbearing." Just the specter of divorce creates a kind of intra-marital arms race. The wife works to hedge against getting abandoned, but her very act of working, research shows, makes it more likely that the marriage will fail—a dismaying downward spiral.

■

Day care is the focus of much of the debate, but the issue runs much deeper. The mass entry of women into the workforce has acted to dissolve the family in general.

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The old economic regime in which men worked and many women didn't was partly an informal bargain, but also the product of frank sex discrimination. One doesn't have to denigrate the new freedoms won for women when this regime collapsed to acknowledge that there was a dear cost to its passing. Francis Fukuyama connects women's liberation and the attendant family breakdown with the broader social disruption—higher rates of crime, illegitimacy, and distrust of institutions—that has affected the developed world over the last thirty years. The exception was Japan. What made it different? In part, it was a longstanding law passed in the 1940s that forbade women from working more than six hours of overtime a week, effectively barring women from participation in the most productive, overtime-dependent portion of the Japanese economy. It wasn't until 1986 that the law was lifted for white-collar workers, and not until 1997 (!) for blue-collar workers.

Returning to a regime that discourages women's work as a matter of law is, of course, out of the question. But at the very least young women shouldn't be constantly told that they should want what they don't. Indeed, vestigial motherly urges have proved an insuperable obstacle to the full achievement of the feminist project. Ann Crittenden in her new book *The Price of Motherhood* details how women have voted with their feet to abandon the most ambitious goals of the feminists, after discovering that the most prestigious, high-pressure careers are simply incompatible with motherhood.

Crittenden reports that the representation of women in the top positions in law, accounting, science—you name it—has barely budged, because women tend to duck out of the labor force to have kids. Even in labor unions, which march in lockstep with the feminists, "less than 10 percent of top local officers are women, who are less likely to be married than their male counterparts." According to Crittenden, "The women without children have been *twice* as successful in achieving a career as the women with children." Nor have men begun to embrace the brave new role of housecleaners and nursemaids that feminists have outlined for them. Even when the wife earns more than half the family income, even when the husband is *unemployed*, he will typically pick up no more than 30 percent of housework and child-care duties.

What the feminist project is bumping up against, fundamentally, is the differing desires of the sexes. The survey data have told the story again and again: Most women value their children more than their careers, and would prefer to create a life for themselves that reflects this preference. As Brian Robertson points out, "Americans now assert, by a margin of two to one, that they would prefer to be a part of a one-earner couple rather than a two-earner couple." According to a nonpartisan Public Agenda survey last year, roughly 80 percent of parents with children five and younger say a stay-at-home parent is best able to give children the "affection and attention they need." Roughly 70 percent of today's young mothers call day-care centers the "option of last resort." The day-care revolution, it seems, is hardly riding a wave of popular support.

HOW INEVITABLE?

Feminists counter such data with the argument that working mothers are economically inevitable. As Ann Hulbert has written in *The New Republic*, "the two-paycheck family, as even its detractors increasingly admit, is largely the product of economic necessity." Yes, wages for men stagnated for a period beginning in the mid 1970s. Yes, single mothers have to work. But day care isn't primarily for single moms. According to the Heritage Foundation's Robert Rector, "Nearly 80 percent of the preschool children using any form of day care come from married-couple families with two-income earners." And women married to men up and down the income scale avail themselves of day care—it's not necessarily an economics-driven choice. It is odd indeed that so many mothers are supposedly forced into the workforce when American society is so much richer than in the 1950s, an "affluent society" that would seem hopelessly penurious today.

One factor that accounts for this paradox is rising levels of taxation. The tax regime is weighted heavily against families, and women who want to stay at home, in a way it never was before. By one estimate, in 1948, the average family of four paid roughly 3 percent of its income to the federal government in direct taxes—thanks to a substantial personal exemption and income splitting, which allowed married couples to divide their income between themselves and avoid some of the bite of progressive tax rates. By 1997, the direct federal tax burden on families had risen to roughly 25 percent, with state and local taxes pushing the average total

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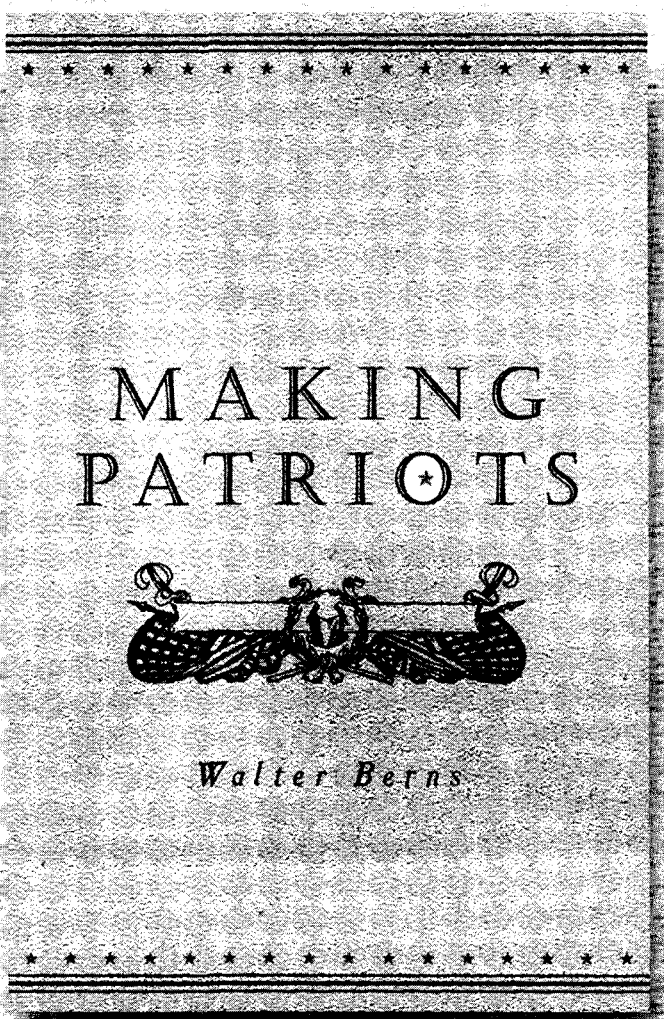

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burden close to 40 percent. Meanwhile, the Dependent Care Tax Credit, passed in the early 1970s, gives special relief to families who pack their child off to day care.

Any reduction of the tax burden will serve to make it easier for moms to stay at home, while wrinkles in the code that disadvantage full-time moms—the dependent-care credit, the marriage penalty—should be eliminated. But feminists propose plans that would subsidize commercial day care with the taxes of one-earner families. Fundamentally, they don't want to increase women's choices, but to bias federal policy toward one particular choice—that of entering or staying in the workforce. Divorce is another significant factor forcing women to work, but feminists aren't interested in ending no-fault divorce. Nor do they support educating single moms in the inner city about marriage and removing the disincentives to it embedded in the welfare system. Anything that serves to make mothers working more "inevitable"—taxes, divorce, illegitimacy—is just fine.

Any measure to make it easier for women to stay at home would imply that there is something valuable in a mother's caring for her own child. It might, in other words, reflect poorly on those professional moms who really do have a choice whether to work or not—and this is one of our culture's most sacred taboos. As feminist Katha Pollitt recently wrote, "The truth is, the day care debate has always been about college-educated working moms." So it has. And it is to their whims, to their career ambitions and their uneasy consciences, that federal policy and the culture have been bent. Indeed, in this light, the saccharine worry about "the children" in American culture and politics seems a guilty overcompensation. We are willing to do anything "for the children" except suggest that their mothers should stay with them; we are committed to "leaving no child behind" unless it is by his mother hustling off to make her career.

■

Any measure to make it easier for women to stay at home would imply that there is something valuable in a mother's caring for her own child.

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Yes, a mother staying at home must make painful sacrifices, sacrifices that most men will never know. But isn't that more reason to celebrate this choice rather than shun it, to make it easier rather than harder? When it comes to the American family, the policy, the stigma—everything tilts the wrong way. Why *shouldn't* working moms feel guilty, especially if they share a shred of the sentiment expressed by their boosters like Susan Chira? "It is a parent's responsibility to curb children's natural fantasy that they are the center of the universe," she writes in her book. "A mother who never says, 'No, I can't, because this is my time now,' is a mother who convinces children she lives only for them." Funny. Not too long ago that was what a mother's love was supposed to be all about. **NR**

The Brawl over Judges

Washington gears up

BYRON YORK

PATRICK LEAHY, ranking Democrat on the Senate Judiciary Committee, smiled a smile that didn't seem entirely . . . sincere. "Senator Hatch is one of the handful of senators I consider my closest, dearest friends," Leahy said of the man seated next to him, committee chairman Orrin Hatch. Nevertheless, Leahy said he was deeply concerned about Hatch's plans to handle the president's nominations for the federal courts. Leahy accused Hatch of trying to change the rules to go easier on George W. Bush's choices than he had on Bill Clinton's. He accused Hatch of trying to rush the process. And his normally soft voice rose to a near-shout as he vowed to protect "THE SENATE, IN ITS RULES AND ITS PRACTICES," from Republican assault. As Leahy ranted, Hatch, visibly frustrated and angry at his close, dear friend's tactics, sat silently, his arms folded across his chest.

Perhaps the strangest thing about Leahy's performance was that the meeting wasn't even about judicial nominations. It had, instead, been called for the purpose of voting on two top Justice Department nominations, Larry Thompson to be deputy attorney general and Theodore Olson to be solicitor general. It was Thursday, May 3, more than 100 days into the Bush administration, and there was exactly one confirmed political appointment in the Justice Department—the attorney general, John Ashcroft (and that had come only after a ferocious fight, as Hatch reminded the committee). Given the administration's urgent need for confirmed officials, the chairman asked over and over: Can't we please take a vote on Thompson and Olson?

The answer was no. Leahy and his fellow Democrats demanded that the committee first discuss a little-known bit of Senate procedure known as the "blue slip." This is a form letter—it really is printed on blue paper—in which a senator is asked to express his approval or disapproval of a judicial nominee who comes from the senator's home state. An answer of thumbs down is often enough to cripple a nomination, and Leahy has hinted broadly that Democrats intend to use this procedure to derail Bush appointees.

"I'm not going to get into a big blue-slip discussion today," Hatch said, as hope faded for a decision on Thompson and Olson. "Unless you walk out on me, we're going to have the vote right now." At which point Leahy and the Democrats did indeed walk out, saying they needed to discuss the matter among themselves. "Orrin, I'll give you a buzz as soon as I can," said Leahy dismissively as he left.

Hatch knew the rules required ten members to be present for a vote. There are nine Republicans on the committee;

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with no Democrats, there would be no vote. So the chairman was left sitting at a half-empty table, sputtering to his fellow Republicans. "I want you to understand how crazy this is," he said. "They want an absolute right to veto presidential nominations!"

In the end, there was no vote, and Leahy had made his point: If Democrats don't get what they want, they can—and will—shut down the committee. The episode made clear just how eager Leahy and his colleagues are for a fight with the Bush White House over the issue of judges. And it underscored—as if Republicans needed any reminding—just how difficult it will be for Bush to place conservative judges on the federal bench.

BLUE SLIP BLUES

Despite all the controversy, nobody—and that included the senators themselves—seemed entirely sure of what the blue-slip issue was all about. The wording of the slip is succinct; it says, "Will you kindly give me, for the use of the Committee, your opinion and information concerning the nomination of [BLANK]." At the bottom of the slip, the senator can check a box indicating that he approves or disapproves of the nomination. Years ago, when the Senate was even clubbier than it is today, a nomination was set aside—effectively killed—if a home-state senator disapproved. But the system changed in the 1970s, and in 1989 then-committee chairman Joe Biden explained it this way in a letter to the first President Bush: "The return of a negative blue slip will be a significant factor to be weighed by the committee in its evaluation of a judicial nominee, but it will not preclude consideration of that nominee unless the Administration has not consulted with both home state senators prior to submitting the nomination to the Senate."

That's the way things worked, under Democratic and Republican chairmen, until the last couple of years, when relations between the Clinton White House and Senate Republicans reached a low point. Even before the impeachment crisis, Bill Clinton wasn't particularly fond of consulting with the GOP about anything. "We got zero consultation," Hatch said recently. "Zero."

At some point along the way, Republicans added a phrase to the blue slip. It read, "No further proceedings on this nominee will be scheduled until both blue slips have been returned by the nominee's home state senators." While that wording seemed to give individual senators—Republicans—more power to stop Clinton-administration nominations, it appears that it was rarely, if ever, used. As Hatch points out in every argument about blue slips, the Senate confirmed 377 judges nominated by Bill Clinton. That number is just five shy of Ronald Reagan's all-time record—and Clinton would have passed that mark had the Democrats themselves not knocked off a few of the president's choices.

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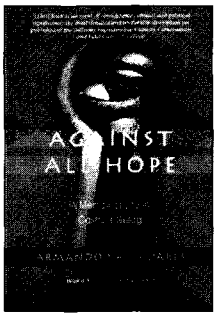

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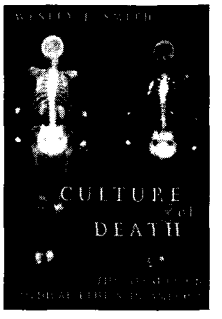

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Still, Democrats regularly accuse Republicans of mistreating Clinton nominees. Now they want the same power over George W. Bush, and they believe the blue slip will be an important weapon in their fight. Hatch promises to follow the same procedure with Bush's judges that he did with Clinton's. But he knows that even if he is scrupulously fair, he will find himself in prolonged battles with Democrats. That's bad enough, but in the next few weeks, Hatch will also be struggling to deal with mistakes made by his own side—his allies in the White House.

IT DEPENDS ON THE MEANING OF 'CONSULT'

The Constitution says the president must seek the Senate's "advice and consent" on judicial nominations. The consent part is clear; that's why there are confirmation votes. But what about advice? Increasingly in recent years, the Senate has demanded that the administration "consult" with senators before nominating judges. But there is an enormous argument over just what that means.

Does it mean the president must give senators a role in choosing a nominee? Does it mean the administration must tell senators about its probable choices before a final decision is made? Or does it mean the White House has to give the Senate a quick heads-up before sending the nomination to the Capitol?

Most experts believe the second choice is about right, for this reason: Once the White House has settled on a choice, it directs the FBI to begin the long, excruciatingly detailed background check that is required before any nomination can be sent to the Senate. Once FBI agents start asking questions about a job candidate, word gets out and everyone knows he is a possible nominee. But what if an important senator—like one from the candidate's home state—has a strong objection to that candidate? Much better for the president to find that out before beginning the FBI check. So the White House consults with the senators who will play key roles in the confirmation process.

Most parties agree that the Bush White House could have done a better consultation job with its first round of judges. Democrats have loudly complained that they were not included. "Consultation means more than simple notification, and there's been virtually no consultation," says a top aide to Leahy. Says one Republican lawyer who follows the process, "I get the impression that the White House has mishandled things. There have been quasi-announcements of people before the White House talked to Democrats. It's just Politics 101."

Even Orrin Hatch has suggested that the White House was "behind the curve" in the consultation process. "Admittedly, this administration got going very late, because of the election process," Hatch explained recently. "New people came in who had not had experience in this area. On some of the nominees they are sending up, they did not have pre-consultation. . . . But they acted in good faith. They're trying to do their job."

For their part, administration officials maintain that they *did* consult with Democratic senators, although perhaps not as much as the Democrats would have liked. The White House has had several meetings with Democrats, and in response to a letter from Leahy demanding a greater role in the process, White House counsel Alberto Gonzales wrote, "We will endeavor in good faith to respect the suggestions set forth in your letter as we work on additional vacancies in the future."

But then, the problem goes much deeper than the inexperience of a new administration (especially since the new administration is staffed by some of the most seasoned, experienced people in Washington). Part of it is a hangover from the Clinton wars, over the judiciary and everything else. "The feeling is that [Democrats] certainly are getting as much consultation and notice as the Republicans ever did during Clinton," says a Justice Department official. "It depends on what you mean by consultation," says another, in inadvertently Clintonian fashion. "There have been discussions, but they're going to view this as a battle almost no matter who we send up."

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The Senate has demanded that the administration 'consult' with senators before nominating judges. But there is an enormous argument over just what that means.

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The situation is made infinitely worse by the 50–50 split in the Senate. With the Judiciary Committee also evenly divided, even small disagreements can quickly blow up into deadlock. And to make matters worse for the administration, several key states have two Democratic senators. As the president considers judicial candidates from New York, for example, he needs some degree of cooperation from Charles Schumer and Hillary Rodham Clinton. Yet he knows both would be happy to shoot down a few Republican judges.

So here's the dilemma: If the White House pursues an expansive consultation policy, it will help opponents like Schumer and Clinton. But if the White House chooses not to consult, it will open itself up to the legitimate charge that it is ignoring the rules. Finding a balancing point between those two choices will be a very, very tough job.

FIGHTIN' WORDS

Not long after walking out of the Judiciary Committee meeting, Leahy, Schumer, and fellow Democrat Russ Feingold held a news conference. Speaking of the Bush White House, Schumer said, "They intend to try to abrogate the Senate's role in choosing judges so that they can create the most ideological bench that we have seen in America ever." At that time, Bush had not named a single nominee.

No matter. Feelings on the issue are running extremely high, so high that they occasionally intrude on the exaggerated mannerliness of the Senate. In the last week of April, the Judiciary Committee held two members-only meetings. Having one such meeting in a week was fairly rare; having

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two was nearly unheard of. And each stretched to nearly two hours long. "I haven't seen something like that in, I can't remember," says one top aide. "To get the big dogs in a room for that long—it's important."

Senators normally do not discuss what goes on inside such meetings, but a story began to circulate in Republican circles that a Democrat in the meeting had said that Democrats might oppose any nominee who wasn't pro-choice on abortion. The matter came into the open during the blue-slip argument when Jeff Sessions, Republican from Alabama, said to Democrats, "You heard a member of this Senate say they would block any nominee who wasn't pro-choice." Hatch later acknowledged that such a threat had been made, but said the Democratic senator—nobody would say who it was—"immediately backed off" from the threat. "I said, 'Oh, you can't take that position,'" Hatch recalled. "'Look at all the pro-choice judges we put through.'"

Whatever strategy they ultimately adopt, the Democrats will have a position quite different from the one they had a few years ago. In 1997 and '98, Leahy and his colleagues warned of what they called a "vacancy crisis" in the federal courts that was "threatening the quality of justice for the American people." "Citizens can't get their day in court," committee member Ted Kennedy charged, "because the Republican Senate is playing politics with the courts and preventing needed judicial positions from being filled."

Now it is the Democrats who are in no hurry to fill judicial vacancies. Aside from their complaints about inadequate consultation, they are still angry at the Bush administration's decision to end the American Bar Association's special role in the judge-vetting process. Because the ABA will no longer be doing a White House-sanctioned, pre-nomination peer review, Leahy has said, Democrats on the committee will want to give the bar association the opportunity to study each candidate after the nominations are announced. That could take time—lots of it—and give Democrats more opportunities to delay considering nominations.

Already there are signs that the threats are being heard in the White House. On the same day Leahy led his troops out of the committee meeting, word leaked that the president would reinstate Bill Clinton's nomination of Roger Gregory to the Fourth Circuit Court of Appeals. In the last months of his administration, Clinton used a recess appointment to put Gregory on the court after the nomination was blocked by Senate Republicans. Now Clinton has his judge, nominated by Bush.

Gregory aside, there will terrible fights, because the issue is so important. "They understand the value of judges," says one administration official of the Democrats. "If they can't get judges, they can't get anything done. They've changed the culture, not through legislation but through litigation." And with each conservative judicial nomination coming from the Bush White House, Democrats in the Senate will have to face the most bitter consequence of the 2000 election. "They just can't deal with the reality that they no longer control the White House," says a Republican aide, "and the crown jewel of having the White House is being able to put your guys on the courts." **NR**

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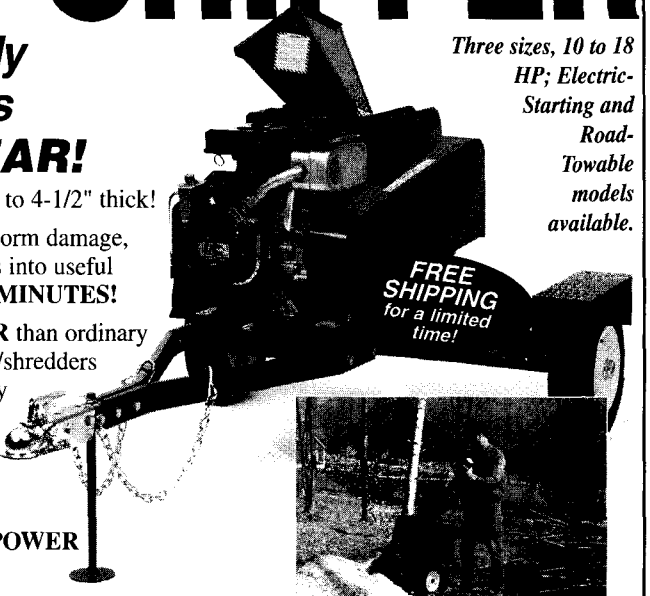

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The Problem with 'Zero'

On tolerance and common sense in the schools

JOHN DERBYSHIRE

You know the stories. They have been cropping up in everyday conversation among all classes and conditions of Americans for four or five years now.

• A Pittsburgh kindergartner was disciplined in 1998 because his Halloween firefighter costume included a plastic axe.

• A ten-year-old girl at McElwain Elementary in Thornton, Colo., repeatedly asked a certain boy on the playground if he liked her. The boy complained to a teacher. School administrators threatened to suspend the girl, citing the school's "zero tolerance" guidelines for sexual harassment.

• In Cobb County, Ga., a sixth-grader was suspended last year because the ten-inch key chain on her Tweety Bird wallet was considered a weapon in violation of the school's zero-tolerance policy.

• In November 1997, a Colorado Springs school district suspended six-year-old Seamus Morris under the school's zero-tolerance drug policy. The drug? Organic lemon drops from a health-food store.

• T. J. West, aged 13, drew a picture of a Confederate flag on a scrap of paper. His school in Derby, Kan., had listed the flag as a "hate" symbol, so West was suspended for racial harassment and intimidation. This one went to federal court. The boy lost, took his case to the Tenth U.S. Circuit Court of Appeals, lost again, and took it to the U.S. Supreme Court, which refused to hear it.

It would be comforting to think that all this "zero tolerance" insanity was driven by dimwitted administrators and avaricious lawyers. No doubt some of it is, but in at least one recent case in New York City, zero tolerance has been enforced by parents. A ten-year-old boy at a Brooklyn public school was taunted for being overweight and Jewish. At last he threatened to bring his dad's gun to school. The boy was transferred to a different school and charged with juvenile harassment. When parents at his new school got wind of the incident, *hundreds* of them pulled their kids from classes in protest. The boy's father did indeed have a handgun—legally owned and registered, kept in a combination-lock safe bolted to the floor. Police took the gun away. The boy is now being home-schooled.

For some insight into a professional educator's point of view, I spoke to the principal of my own children's elementary school. Suppose, I put it to him, my son were to say, in the course of a schoolyard dispute: "I'll get my dad's gun and shoot you." Would I then be facing the arrest of my son and the seizure of my property? The principal laughed. "Certainly not. We all know each other here. I know your kids, I know you. If necessary I'd call you in for a chat. Stuff like that happens in big schools where kids are anonymous and staff turnover is high. They should be dealt with informally. But you can only do that when the informal relationships have been built up."

No doubt that is much easier to say when you are principal of an elementary school rather than a high school. The principal of my local high school would not talk to me about zero tolerance, handing me up to the district superintendent of schools—a sensible man who said he thought these policies were becoming less popular, and that he personally supported absolute zero tolerance only in matters of gang membership, a growing problem even in quiet suburban communities such as ours. If it is true that zero tolerance is beginning to decline, that is good news. No human institution can be run by the inflexible application of bureaucratic rules, without any regard for individual cases or any attempt on the part of those in authority to apply thoughtful judgment to situations. Why would anybody think it could?

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Popular support for zero-tolerance laws and rules is in large part a reaction to the follies of our liberal elites. Why do citizens want rigid, mandatory, bureaucratic rules for dealing with transgressions? For the same reason we want three-strikes laws and capital punishment: because we have learned that if we rely on soft-headed ideological judges, parole boards, and school administrators to do the right thing, we will be disappointed. The results delivered by zero-tolerance rules may sometimes be wacky; the results delivered when our liberal elites are left free to exercise their powers of judgment are positively dangerous. Zero tolerance is one more response to the moral crisis of our time: to the collapse of authority, to the turning away from customary and traditional practices and beliefs, to moral relativism and its *tout comprendre c'est tout pardonner* attitude to crime; to all the furrowed-brow, equivocating, guilt-addled, apologetic dross of modern liberalism.

This being America, there is also the matter of race, with all the associated rancor and delusions. Zero-tolerance policies in schools came about partly because the schools faced lawsuits charging that principals disciplined students unequally based on race and other factors. In this regard, the subsequent results have been dismally predictable: By the late 1990s, with zero tolerance well entrenched in schools nationwide, complaints were being heard that these boilerplate, inflexible policies *also* led to discrimination! By 1997, the nation's schools were blanketed

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with zero-tolerance policies; yet, in the 1997–98 academic year, of the roughly 87,000 students expelled from their schools, about 31 percent were black, even though blacks make up only 17 percent of enrollment. Tony Arasi, assistant schools superintendent in Cobb County, Ga., made this point in commenting on the Tweety Bird case: "Those people saying zero tolerance leads to unfairness . . . may want to go back 10 or 15 years to before most districts had zero tolerance. They were saying there was unfairness then. It's come full circle."

The paradox is that zero tolerance of threats, drugs, weapons, and "sexual harassment" coexists with 100 percent tolerance of "lifestyles" that most emphatically would *not* have been tolerated thirty years ago, and that very large numbers of Americans still find offensive. Following the April 1999 Columbine school shootings in Littleton, Colo., it emerged that students at the school had worn Nazi emblems and given Hitler salutes to each other in the hallways, without any disciplinary sanction. (Colorado was, by the way, a leader in zero-tolerance school policies long before the Columbine massacre.) And of course, every kind of sexual activity is now a "lifestyle choice" that adolescents are perfectly free to make without interference from authority. The abdication of authority is, in fact, the common feature underlying both zero tolerance and total tolerance. On the one hand, there is the determination to avoid exercising any kind of rational leniency about petty infractions of discipline, lest one's judgment betray one into "discrimination" or—much worse—fail to detect the very occasional adolescent psychopath. On the other hand, there is the unwillingness to be "judgmental" about any expressions of individual belief or taste—except those derived from organized Christianity.

And those school shootings—Pearl, Miss., and West Paducah, Ky., in 1997; Jonesboro, Ark., Edenboro, Pa., and Springfield, Ore., in 1998; Littleton, Colo., in 1999; Santee, Calif., and El Cajon, Calif., this March—are engraved on the mind of every school administrator in the country, and on the minds of most parents too. The Santee shooting was on a Monday, and the 15-year-old boy who did it spent all weekend telling friends about his intention. Nobody took him seriously. You see the point of those Brooklyn parents pulling their kids from school. It is of very little use to say to these parents that a child's chance of being shot dead in school is around one in a million, which is to say about one-third his risk of being struck by lightning; nor does it help to point out that schools have never been perfectly safe from violence, and that the idea of taking a gun to your teachers and classmates did not emerge suddenly into the world in 1997. The worst school massacre in U.S. history occurred in 1927, and the original shoot-up-the-school movie was Lindsay Anderson's *If. . .*, which was released in 1969 (and was itself inspired by Jean Vigo's 1933 movie *Zero for Conduct*).

The bureaucratic inflexibility of zero-tolerance policies is one symptom of a more general problem our hedonistic, atomized society faces. To get some perspective, it may help to glance back for a moment across a couple of thousand years' time and ten thousand miles of space.

The two most potent philosophies of statecraft in ancient China were Confucianism and Legalism. The Confucians believed that human beings were fundamentally good, and that society could be regulated by internalized moral rules. Good manners, clear conscience, moral leadership, and a respect for customary ways of doing things—concepts wrapped up in the word *li*—would guarantee social order, according to the

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Confucians. The Legalists, in contrast, believed that human selfishness was too strong a force to be contained by anything but the fear of strict laws and savage punishments, rigorously and impartially applied. Only the firm, inflexible application of written law, *fa*, would keep society stable.

Any actual society, of course, needs some measure of both *li* and *fa*. Some of us are beyond the reach of moral precepts and can be held back from evil only by the threat of punishment. There are not many of this kind, though, as Robert Burns pointed out to his young friend:

> I'll no[t] say, men are villains a[ll]:
> The real, harden'd wicked,
> Wha[t] ha[v]e nae check but human law,
> Are to a few restric[t]ed . . .

Most of us can be kept on the straight and narrow by some basic moral training in childhood, reinforced by the example of virtuous men and women in positions of authority and by the reassurance offered by traditional observances—that is, by good manners.

What the zero-tolerance follies tell us is that we have lost the balance between *li* and *fa*. We have slipped into Legalism, the application of inflexible, pettifogging punitive codes to all social infractions without judgment or wise consideration. To restore the balance, we need some wider appreciation of Confucius's insight—which has been shared by all great ethical and religious teachers—that human beings are, in the main, decent enough to respond to moral training and example, when those set in authority over them have the courage and conviction to supply those things. With a little more *li* in our lives, we should be less oppressed by *fa*. How we get from here to there is, of course, another question. **NR**

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Attack of the Killer Nurses

A look at a curious phenomenon

THEODORE DALRYMPLE

In August 1975, three patients suffered cardiopulmonary arrests within 15 minutes of each other at the Veterans Administration Hospital in Ann Arbor, Michigan. An astute anesthesiologist noticed that all three patients looked as if they had been administered a muscle-paralyzing agent—which, as it turned out after much investigation, they had.

Rarely can the commencement of a tradition be placed so precisely in time—the tradition in question being that of nurses murdering their patients wholesale. Of course, it is quite possible that an underground tradition of this nature existed undetected even before the events at Ann Arbor, but from that time forth there have been epidemics, both large and small, of unexpected death at regular intervals wherever murderous nurses have taken employment. On March 26 of this year, for example, the nurse Kristen Gilbert, somewhat unimaginatively dubbed the "Angel of Death," was sentenced to life imprisonment for having fatally injected three of her patients with a stimulant to mimic heart attacks. And in November 1999, a nurse named Orville Lynn Majors was sentenced to 360 years' imprisonment for having killed six of his patients by injection of potassium chloride.

There have been outbreaks of nursing murder in many different hospitals in the last quarter of a century. They are often surprisingly difficult to detect. Indeed, many may have gone completely undetected. During the 1980s, *The New England Journal of Medicine* and *The Journal of the American Medical Association* published several articles about epidemics of unexpected cardiopulmonary arrest in hospital intensive-care units, usually coming to the cryptic conclusion that patients were 47.5 times as likely to have had a cardiopulmonary arrest while Nurse 14 (who could not be named for obvious legal reasons) was on duty as when any other nurse was on duty.

One of the most notorious outbreaks occurred in Toronto in 1980 and '81, in the cardiology ward of the famous Hospital for Sick Children. The death rate suddenly increased by four times in Ward 4A. High levels of digoxin were found in the blood of four of the deceased children, and it was estimated that, during the epidemic of sudden and unexpected death, the children in Ward 4A were 64.5 times as likely to die when Nurse A (who was a woman named Susan Nelles) was on duty as when any other nurse was on duty. She was arrested but released 45 days later for lack of

Mr. Dalrymple is an English prison doctor and writer among whose books is the novel *So Little Done: The Testament of a Serial Killer.*

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evidence. The police, however, sought no other suspect.

In fact, Nurse A may have been innocent, and the deaths may have been no murder. The high digoxin level found after the deaths of the children may have been an artifact of the methods used to detect the drug. In those days, the rubber in syringes and other medical apparatus was manufactured using a potentially toxic substance that could have killed the children, either directly or by allergic reaction to it. To this day, therefore, the deaths at the Hospital for Sick Children have not been satisfactorily explained, and these doubts (which are similar to those that accompany several other such epidemics in hospitals) have been used to suggest that the very concept of mass murder by nurses is a reversion to the medieval witch mania or to the Salem trials of the 1690s. American courts have ruled that epidemiological evidence—that an excess of deaths in a hospital ward when a particular nurse was on duty—is not sufficient to convict, even when there is also evidence that a fatal substance was administered.

But there have been so many cases of undoubted murder of their patients by nurses (and hospital orderlies) that popular hysteria or mass psychosis in the public and the media is not a plausible explanation of the phenomenon. The question, then, is why should this pattern of behavior have emerged in the last quarter of the 20th century?

Do the nurses who behave like this have a deep-seated personality trait or a motive in common? It is natural to assume that they must have characteristics that distinguish them from others of their profession (after all, mass murder by nurses is still very uncommon) that would enable them to be identified in advance, and therefore tragedy to be averted.

This assumption leads to official responses that are like those of generals, who are always inclined to fight the current war as if it were the last war. For example, not long ago I was approached by a senior nurse in my hospital who was worried about the conduct of one of our nurses. She seemed in several ways remarkably like Beverly Allitt, a nurse in Mrs. Thatcher's home town of Grantham, who was given 13 life sentences for murdering three children, attempting to murder three others, and causing grievous bodily harm to six more.

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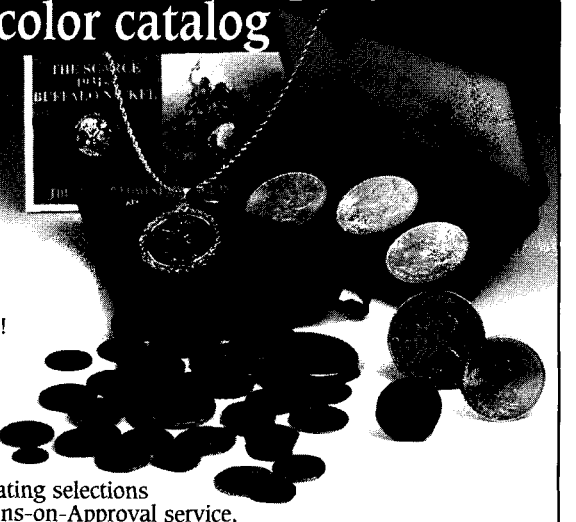

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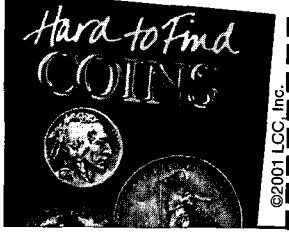

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In retrospect, Allitt was clearly a young woman with peculiar traits. Among them were both bulimia nervosa (binge eating followed by vomiting) and Munchausen's syndrome: the habit of presenting oneself to doctors and hospitals with dramatic symptoms of illness that are entirely spurious (it is characteristic of our age that repeatedly lying about illness should be considered itself an illness).

The young woman in my hospital about whom the senior nurse was very worried also suffered from bulimia and (if suffering is quite the term for it) from Munchausen's syndrome. And the hospital had received telephone calls making threats against her that, when traced, turned out to have been made from her own cell phone. Could she be another Beverly Allitt?

I suggested that any deaths on her ward, in the past, present, and to come, be carefully investigated (in the event, there were none that aroused suspicion). I left the senior nurse to decide whether the illness of faking illness in her spare time, and the making of nuisance telephone calls, were by themselves sufficient cause for dismissal. I am not sure I would have wanted the young woman in question to nurse me, however.

Jeanne Freibert

Playing God, or doctor?

Psychiatrists suggested that Beverly Allitt, like several of the other nurse-murderers, was "suffering" also from Munchausen's syndrome by proxy. This extraordinary pattern of behavior was first described by a British pediatrician, Professor Roy Meadow, who discovered that parents, particularly mothers, sometimes induced symptoms in their children in order to gain the attention of doctors. They would put blood in their urine, provoke rashes, and in some cases (proved by covert video surveillance) asphyxiate their children to produce respiratory arrest. The most common explanation for this behavior is that the women who do this want drama in their otherwise rather humdrum lives. Perhaps not altogether surprisingly, the children of parents who "have" Munchausen's syndrome by proxy have a much reduced life expectancy.

Some of the nurses who kill are thought to want to be present at real life-and-death dramas, as if they were inhabiting a television soap opera. Moreover, by reviving the people whose hearts and breathing they have stopped, they cast themselves in a heroic light. Their fantasy is made flesh: but in the process, of course, a certain number of participants, that is to say patients, pay the ultimate price.

The motive remains a mere hypothesis, since people like Beverly Allitt rarely confess or confide their thoughts to anyone. But in any case, it is clear that other nurse-murderers have other motives: One motive does not fit all.

In another case, for example, the nurses in a ward ran bets as to which of their patients would be first to shuffle off this mortal coil. So eager was one of the nurses to win her bets (perhaps she had money problems) that she cheated a little, no doubt calming her conscience with the reflection that she was only giving a helping hand to the inevitable. As Engels remarked, what is freedom if not the recognition of necessity?

In more than one episode of serial murder, in both Canada and the United States, nurses have been moved to kill by sheer public spirit. They wished to demonstrate the need for a local pediatric intensive-care unit, and what more convincing method could there be than to bring about the very kind of emergencies that such a unit would treat? Alas, in the absence of such a unit, the babies died, but whose fault (really) was that? From a strictly utilitarian point of view, it is clear that the cause of humanity would be served by the babies' deaths: for in the long run, more lives would be saved by the intensive-care unit than were lost in proving the necessity for it.

Nurses also kill because they believe in euthanasia. The great majority of the victims of nurse-murderers are at the extremes of life (the periods of human existence that, by pure unadulterated coincidence, most concern bioethicists such as Professors Peter Singer and Ronald Dworkin). In Austria—a country with a great tradition of mercy-killing—some nurses unilaterally decided that their geriatric patients would be better off dead, and duly liberated more than forty of them from their travails.

A recent survey among American intensive-care nurses, conducted to ensure anonymity among the respondents, suggested that about a fifth of them had actively killed (or claimed to have killed) at least one patient, taking the initiative into their own hands. The survey was criticized for being unrepresentative, but it clearly demonstrated that the killing of patients by nurses was not confined to a mere psychopath or two. Likewise, one in seven of the half of the AIDS nurses in the San Francisco Bay area who responded to a questionnaire claimed to have assisted at least one patient in committing suicide.

There are many problems, of course, both ethical and practical, with mercy killing, which I need hardly rehearse. That the end of life can be a horrible and distressing process is undoubtedly true, but the question must be asked: Horrible and distressing for whom? Orville Lynn Majors—who was convicted of injecting six of his elderly patients to death, and who prosecutors alleged killed over a hundred—was said to view old people with contempt and even hatred. In a culture as fixated on youth as our own, old age is seen in itself as something terrible, cruel, pointless, and even obscene. In the circumstances, it would not be surprising if the suffering that mercy killers sought to relieve was their own rather than their patients'.

Compassion easily slides into contempt. The helpless are often not very appealing: It is all too easy to think the world would be better off without them.

Is there any characteristic that unites the nurse-murderers? And is there any explanation why such killers should have proliferated from the 1970s (I assume what I cannot prove, namely that nurses did not kill in any numbers before then)? What

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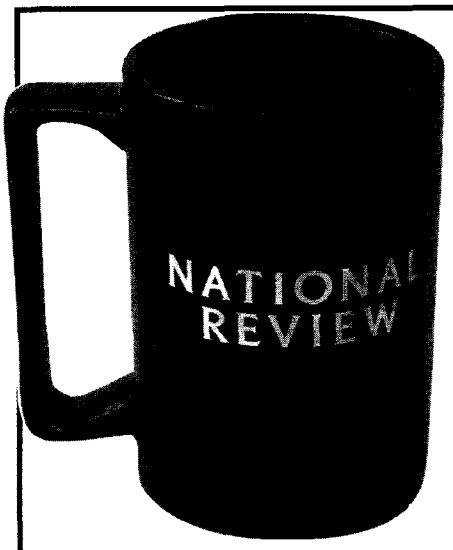
unites the self-dramatizers who want to be at the center of significant events, with the dispensers of mercy death and those who want to affect public policy by killing? Their motives are disparate and do not at first sight fall easily into a single category.

One possible explanation, however, is the precipitate rise of self-importance. It is one of the great characteristics of the age. The self-dramatizer believes she has a right to an interesting existence, and in an age of mass entertainment this can only mean a fast-moving drama where great events succeed each other at the speed of the videotape. The person who kills for mercy or to produce the greater good does not accept any limitation on her own power to make ethical judgments. Religious taboos are all but ineffective, however much people may say that they still believe in God. They believe that God loves them (because, of course, they are so intrinsically lovable), but not that He has forbidden them to do anything they feel in the slightest inclined to do. When it comes to making ethical decisions, they are on their own. Nor do they accept the standards traditionally laid down by their society. Why should they? Have they not learned that their society tolerated—and still tolerates—racism and other evils? Are they, then, not better placed than society to decide what they should and should not do? Are not all men created equal, and therefore equally entitled to do what they think is right?

The very word "conventional" has negative connotations. To say of someone that he is conventional is to say that he is boring and even morally deficient, since he so easily accepts what he is told. There is only one way to avoid this terrible slur: to act always upon your own unaided judgment.

There is a further matter. Nurses were traditionally the handmaidens of doctors. The Nightingale Pledge, for example, specifically stated that the nurse promised to "aid the physician in his work." In an age of equality, and thus of self-importance, this is felt as a deep and personal humiliation. What better or more decisive way to declare one's independence, and establish one's power, than to take the law into one's own hands and kill a few patients? Was it not a doctor, the psychiatrist Frantz Fanon, who said that one liberated oneself from one's oppressor by a little judicious violence? **NR**



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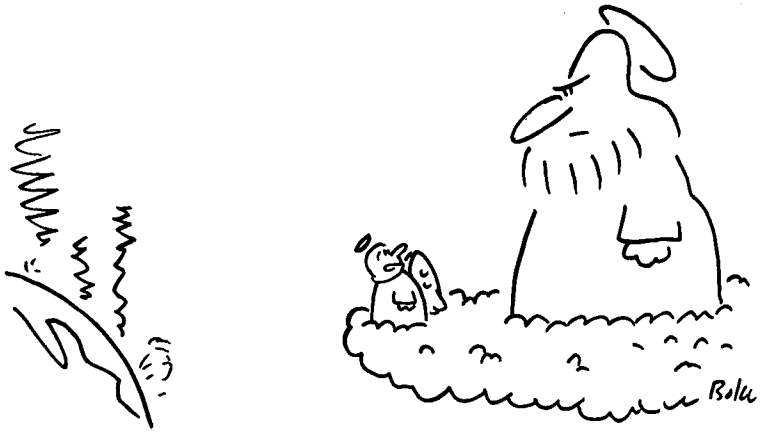
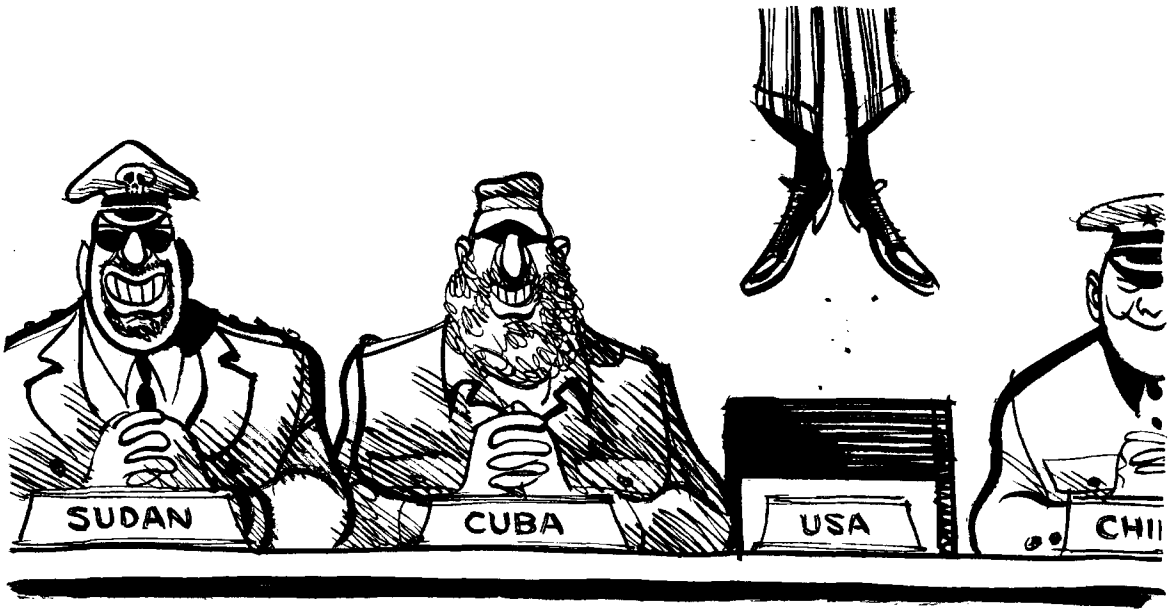


"Hey, don't look at me—I was against free will."

Evolving with W.

As condescension gives way to
Lips pursed into a fretful moue
(The French do this expression best),
George Bush proceeds from test to test;
While dunce caps Democrats had made
For dummies who don't make the grade
Wind up where similar chapeaux
Got dumped when Reagan ran the show.

—W. H. von Dreele



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THE LONG VIEW

By Rob Long

The ADVISOR

DEAR ADVISOR:

A few years ago, I started an Internet content company—our website was "wackywacky.com"—which was a multi-portal web engine providing lifestyle and information content in a wireless-enabled format. It was a really fast-paced, cool company—we all dressed in khakis and polo shirts, ate junk food, hung out in a cool, brightly lit environment, were all under 25—it was great. When we went public about two years ago, my stake in wackywacky.com was worth, roughly, 3 billion dollars. Now it's worth, roughly, nothing, and wackywacky.com is out of business. (Well, actually, we were never *in* business in the traditional sense of the word, i.e., profitmaking, etc.) My question is, what do you think a good next career move would be? I've got pretty good qualifications: When I got out of college, I became president and CEO of wackywacky.com, and a few years after that, I became chairman of wackywacky.com. Do you know of any companies looking to hire a chairman? I'm realistic, of course—I'm willing to take a step down to CEO, if necessary. What do you think?

—*WACKED OUT IN PALO ALTO*

DEAR WACKED:

Your question is a good one. The Advisor hears from many of its readers about beginning a job search. The key here is to list your likes and dislikes, then think about what kind of job fits that profile. For instance, you say that what you enjoyed most about your previous position was its "fast-paced" atmosphere, a "khakis and polo shirt" uniform, the "cool, brightly lit environment" with coworkers "under 25," and, of course, the copious amounts of "junk food." Well, if you add all of those things together—and throw in a paper hat—you've got a very challenging job working at McDonalds. Good luck in your new career!

DEAR ADVISOR:

My company recently posted lower than expected earnings. Okay, *much* lower than expected earnings. As a result, our business expense and travel allowances have been severely curtailed. What can I expect, and how can I prepare myself for the change in policy?

—*VC IN COACH*

DEAR VC:

Good question. The Advisor hears from many of its readers that companies are changing their perks policy. Naturally, this has led to a great deal of apprehension. But there's no reason to be scared. Flying coach class is easy, and if you make a game out of it, it can be fun! Just remember a few important things. First, although airlines are almost always late, and their schedules are notoriously unreliable, unlike private aircraft, they will not wait until you're there to take off. Your little ticket-like thingy (what they call a "boarding pass"—snappy, no? See? It's like visiting a foreign country, with all sorts of fascinating new words!) is presented to a uniformed concierge-like person at the front desk, who directs you to a kind-of scary tunnel. Relax! It's only scary for a moment. Second, do not stand around the aisle, holding out your jacket, waiting for the flight attendant to hang it up. In coach class, passengers have a marvelously clever tradition of balling up their jackets to use as pillows. Try it! It's such fun! Third, when seated, make believe you're a brave POW, shot down over enemy territory, forced to sit upright for hours and hours in a cramped torture chair. Remember: Fantasy is the mind's way of dealing with pain. Use it! Finally, under no circumstances have the chicken.

DEAR ADVISOR:

In the past seven years, my day-trading profits have reached the mid-seven-figure range. I was long tech stocks at the start of the year, and short energy. In addition, I bet against the dollar last autumn in a hedge play against interest rates—so, all told, I spent last March in the weeds, April trying to recoup, and now it's May and I'm seriously upside down on several fronts. My question is, now with summer coming, my butthead dad insists I get a summer job. And I'm like, Dad, hello?, I'm upside down on my tech here! Anyone home? And he's like, I don't care, you have to do what I say I'm your dad you're just fifteen, and all. And I'm like shut *up* let me live my life you don't understand me. And he's all, I do too you can't get your learner's permit unless you mow the lawn, and I'm like, what? *What?* Do you know what I'm saying, Advisor?

—*TEEN TRADER*

DEAR TEEN:

The Advisor makes a policy of not entering into family squabbles. But it does seem that your dad maybe is being a little too harsh. On the other hand, a little discipline is a good thing. I mean, a youngster without enough sense to get out of tech last year or to short energy stocks when refining capacity is at an all-time low seems like a youngster who needs a little "time out." Think about that while you're mowing the lawn.

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BOOKS, ARTS & MANNERS

Up from Bohemia

STEPHEN SCHWARTZ

Commies: A Journey Through the Old Left, the New Left, and the Leftover Left, by Ronald Radosh (Encounter, 216 pp., $24.95)

Ronald Radosh by Roman Genn

RONALD RADOSH'S memoir is a valuable addition to the literature of leftist intellectual disillusionment. Its chief distinction may be its author's sense of humor, which contrasts strongly with the torment and anguish experienced by nearly all his predecessors who made the trek from revolutionism to the discovery that Soviet Communism and its works were a brutal deception.

Which is not to say Radosh has not suffered. He was once considered an outstanding radical scholar among the young American historians to emerge in the Cold War era. But since his plunge into "extreme truth-telling"—by confirming, in his 1983 book *The Rosenberg File*, the guilt of Soviet spies Julius and Ethel Rosenberg—he has undergone a professional ostracism that, once upon a time, would have been condemned as "un-American."

Radosh is no whiner, and he does not elaborate on the fate that has been his. Since he left the City University of New York in 1992, he has—aside from a brief period at Adelphi University—been academically blacklisted. Yet he seems to grasp that no career is constitutionally guaranteed. Rather than plead for solidarity and mercy from those "progressives" who would loudly protest such a sanction against one of their own, he has preferred to recall, without rancor, his radical origins and middle years. Radosh exhibits no personal bitterness toward a leftist movement that, in fact, swindled and betrayed him. Rather he evinces something close to nostalgia for the enthused innocence with which he once embraced the Leninist cause.

Radosh was born in 1937, a child of the New York garment workers' milieu. His father worked in the once-bustling hatmaking industry, and supported a Communist labor faction; his mother was a union activist. The parents had made a pilgrimage to Soviet Russia in 1924, the year Lenin died, and returned red-starry-eyed.

Young Ron's most important formative influence was his mother's cousin Jacob Abrams, an anarchist and a legendary figure in American radical history. The subject of a landmark Supreme Court civil-liberties case, Abrams had been deported from the United States for distributing subversive literature. He ended up in Mexico, where he became a fixture in the émigré intellectual community and attempted to help Trotsky defend himself against the conspiracy that would ultimately kill him. After Abrams gave the family a set of plates that had belonged to Trotsky, Radosh used them to serve snacks to his pals in the Stalinist youth movement, who came to include the arch-provocateur David Horowitz—and whose faces paled in horror when they realized which "renegade" hands had once touched them.

From Abrams, Radosh learned very early, even as his parents remained faithful to the cause, that Stalinists were murderers, and that the revolutionary ideal had an extremely ambiguous character. This early skepticism may have been fortified by a certain distance his parents seem to have taken from Muscovite orthodoxy, at least by the 1950s. Despite having enrolled Ron at the unabashedly leftist Elisabeth Irwin High School (students called it "the Little Red Schoolhouse for little Reds"), they had become wary of his joining the Labor Youth League, the junior section of the CPUSA. Ron himself showed a reluctance to sign up, having been pitched as a prospective recruit by two Greek Communist partisans who showed up at his summer camp in upstate New York. "There was something about their austere nature and fanatical commitment that scared me," he writes.

Nevertheless, he soon swallowed his doubts and enlisted. It wasn't a matter of ideological seduction; rather it was a logical step, given his family background and his attendance at Communist summer camps, where he learned to play the banjo and perform ersatz folk music under the mentorship of none other than Pete Seeger. There was, however, an element of social promotion in his decision. He admits, "The reasons had little to do with politics, and a great deal to do with the need to find an identity. Strangely, belonging to the LYL served that purpose. It provided the camaraderie of a tight-knit group

Mr. Schwartz's latest book is *Intellectuals and Assassins.*

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of ready-made friends, along with a sense of moral superiority, of being on the right side of a good fight most people didn't even know about. And it offered the possibility of what every teenage boy seeks: a girlfriend. God bless the Communist movement for giving me my very first sexual experiences from among a group of 'liberated' girls."

Radosh's induction into the banjo brigade and his friendship with Seeger marked the beginning of a trudge through the netherworld of leftist stardom. That affords the most amusing aspect of this chronicle: His progress through the Cold War Left is mainly a series of encounters with celebrities. Thus, when Radosh went to study at the University of Wisconsin at Madison, a young folkie calling himself Bob Dylan showed up at his door, looking for a place to stay. Although he had Communist friends and modeled himself on Woody Guthrie, master of the Stalinist musical lampoon, Dylan was short on politics, and at that time, even shorter on charisma. After a few sessions of guitar-picking at radical parties, Dylan was asked to knock it off. But he already knew what he wanted: "to be as big a star as Elvis Presley." Before long, Radosh, Dylan, and a few other budding musicians were holding regular hootenannies at a local café. ("That was great!" raved Dylan after hearing Radosh sing an anti-HUAC ditty called "Talkin' Un-American Blues." "That song really says something.")

■

The Left hated Radosh because his work could be challenged only through a campaign of insult and slander.

■

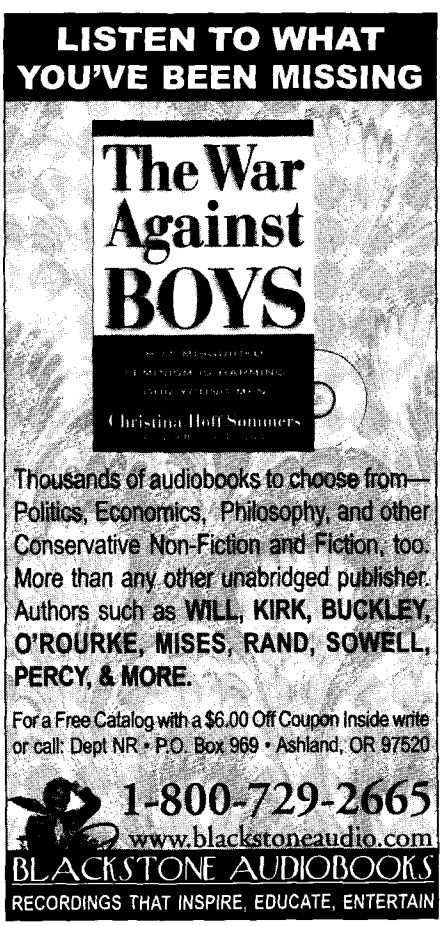
Readers are carried through a series of such walk-ons—giving *Commies* less the flavor of a people's republic than of *People* magazine. Whittaker Chambers memorably described, in *Witness*, seeing his wife Esther fighting the police on a strike picket line in the 1920s. By contrast, Radosh's radical biography includes watching the reggae musician Bob Marley score dope on a hotel terrace in socialist Jamaica and Bianca Jagger unbuttoning her blouse while she and Radosh discuss the dialectics of revolution in Nicaragua.

Commies thereby suggests the essential difference between the ex-radicals of the late–Cold War period and such forebears as Chambers and Arthur Koestler. The same falsehoods were purveyed, corrupting the same idealism, leading many to similar disgusted exits from the ranks. But conditions had changed dramatically: Violent labor conflicts, street fighting in Europe, and the hard school of Bolshevism were a far cry from the American civil-rights movement, yuppies frolicking in demonstrations against the Vietnam War, and graduate-school seminars on sexual politics.

The 1983 publication of *The Rosenberg File*, which Radosh cowrote with Joyce Milton, was the beginning of the end of Radosh's sojourn on the left. The Left hated Radosh because he was the first of its major intellectuals to defect publicly, because his work could be challenged only through a campaign of insult and slander, and because his break was based on his conclusion that the Rosenbergs were guilty—an expression of heterodoxy so extreme as to challenge the entire leftist cosmology. ("The facts are irrelevant," friends told him. "We need the Rosenbergs as heroes.") Radosh writes that "the reaction to *The Rosenberg File* made me finally move on to consider the ultimate heresy: perhaps the Left was wrong not just about the Rosenberg case, but about most everything else. Perhaps, I thought—but quickly buried the heresy—the entire socialist project was wrong." A trip to Nicaragua, during which he witnessed the defeat of the Sandinistas at the ballot box, would complete these political second thoughts and end what he calls "my own long exile from America."

Despite the depth of his former commitment to socialism, and the vitriol he received as he gradually rejected it, Radosh seems not to have gone through the "dark night of the soul" experienced by others like him. That is probably because, in the end, he never took himself that seriously. He seems to have had a secure enough ego to have noticed the contradictions in the leftist dispensation from the beginning, to have considered them carefully over time, and to have made a principled break over questions of truth and integrity. He has shown extraordinary courage, which goes with psychological strength rather than dependency. For an individual like him, a break with leftist conformism was doubtless inevitable.

Historians continue to debate whether Communism in the U.S. possessed some essentially American quality that redeemed its wholesale involvement with treason, espionage, and terrorism. Radosh, who has done more than any other individual to expose the activities of Communists like the Rosenbergs, would be the first to argue that Communism was an alien force without authentic American roots. Yet there remains something quintessentially American in the curiously benevolent frivolity of much of what he recalls here. However great the harm the '60s Left did to our culture, it could have been much worse, difficult as that may be for some to imagine. **NR**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See You in Court

DAVID GELERNTER

The Lost Art of Drawing the Line: How Fairness Went Too Far, by Philip K. Howard (Random House, 255 pp., $22.95)

PHILIP K. HOWARD'S book is a fine and important one in some ways, an unsatisfactory one in others. It tells a gruesome, hugely important story about America today. Howard is right about the problems: American society—and especially our public schools, race relations, and government bureaucracies—is in desperate trouble. He is right about the immediate cause: Crazed by power and greed, lawyers have gone ape and are holding the country hostage. He is also right about the root cause: Too many Americans are opposed to authority and morality on principle.

Consider these signs of the times: Grossly incompetent teachers are kept on forever because regulations make it all but impossible to fire them. In one Florida county during 1998, exactly 14 of 7,000 teachers got "less-than-positive" reviews. "In the federal government," writes Howard, "99.6 percent of federal employees got a rating of 'full satisfactory.'" Our bureaucrats and teachers are all outstanding, yet our government agencies and schools are in deep trouble; it's just one of those funny things. In Oologah, Okla., a playground slide is carted away because of a lawsuit; in Bristol, Conn., seesaws and merry-go-rounds are banished. For the safety of our children, we go to any lengths. Yet an injured teenager in Chicago collapses 30 feet from a hospital door and the medical staff, for fear of legal consequences, refuses to budge outside the building to help. The teenager dies.

Hamlet thought that conscience doth make cowards of us all, but today conscience has been dismissed and we are terrified of lawyers instead.

Howard shows that our government agencies work badly. The Establishment's ideas about race relations turn out to be poisonous. Our public schools have been in deep trouble for a generation. "American schools," Howard writes, "have a culture that more closely resembles that of a penal institution. The idea of politeness and respect doesn't exist, even in memory."

Underlying all this is a legal system running wild. We traded our birthright, our philosophical and religious principles, for a dime's worth of shiny new tin-plated laws and bureaucratic rulings and judicial decisions. Terrorized by the runaway legal system, too many of us suppress our better judgment—indeed (Howard insists) our very personalities—and follow the rules like frightened robots. "Schools fail because teachers can't draw on their personality and passion. Schools fail because principals can't use their judgment to distinguish the good from the indifferent . . . " We have surrendered to the lawyers our freedom to make decisions and act on them.

We are scared to exercise authority lest we be sued; to protect ourselves, we abdicate personal responsibility in favor of rules, regulations, and laws—which means (in effect) that we have abdicated in favor of bureaucrats, lawyers, and judges. "Use your best judgment" is Greek to us: We teach our children to use no judgment at all. We pretend that "not to be judgmental" is a virtue instead of a handy way to avoid lawsuits, and a cynical admission of moral cowardice and ignorance. "Bureaucracy has billowed like smoke," Howard writes, "since the due process revolution drove in the final nail sealing off judgments about people."

From the micro-Mussolinis of the ACLU (an organization that must be as beloved nowadays as the Ku Klux Klan) to the pig-rich trial attorneys, the bar owns America. Lawyers call the shots. Meanwhile, judges cheer on the lawyers by tolerating damage claims "that make lotteries seem like small change."

As a result, writes Howard, "Americans no longer feel free to do what we believe is right." And no free society can last, Howard points out, if its citizens feel incapable of telling right from wrong.

These are impressive, compelling arguments. So what's the problem?

First, Howard's observations are old. Second, he offers no solutions. Third, his book demonstrates in its own way the same refusal to make distinctions for which he takes the whole country to task. His book is a modest symptom of the problems it describes.

The "two American cultures" identified by Gertrude Himmelfarb divide precisely over the questions of morality and authority Howard discusses. A significant minority has argued passionately for decades against the Establishment's ongoing plan to eradicate authority, abolish morality, and put lawyers in charge of essentially everything. But Howard describes these developments as if no one minded them except Howard—indeed, as if cultural conservatives didn't exist.

He ignores a whole climate of opinion that dates back at least to the founding of this magazine and has been a force in American politics since Ronald Reagan. The idea that there is no real difference between Left and Right on these issues, that we all love lawsuits equally and are all equally indifferent to the claims of morality and authority, is too absurd to be worth denying—although Howard seems to believe it.

In fact, conservatives have grappled hard with these problems (especially schools) for a long time; they have had mixed success, but surely their efforts are part of the story.

The disastrous state of the public schools has been well known since the early '80s. The large and growing charter-school movement is one direct response. The voucher movement is another. Many religious schools are thriving. Well over a million children are schooled at home. Parents who step in and take over the education of their children are responding to failed schools, but in many cases they are also taking resolute action against the deepest problems Howard describes. They are determined that their children *shall* understand and respect legitimate authority; that they *shall* learn the hardest and most important duty of citizenship, to make absolute moral judgments, to tell right

Mr. Gelernter is author of *1939: The Lost World of the Fair* and other books.

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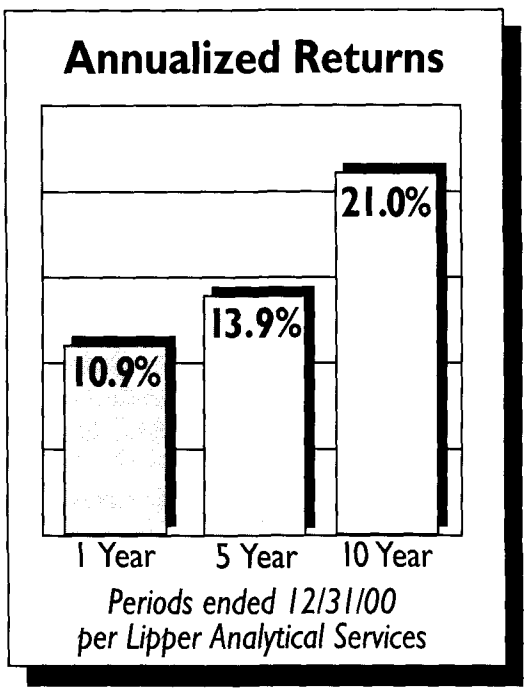

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from wrong. (My wife and I moved our own boys from a liberal to an orthodox Jewish day school partly for these same reasons.) Internet-based learning companies have arrived on the scene to support homeschoolers and "virtual charter schools," which largely dispense with conventional schoolrooms. Add it all up and you have a momentous development in American society. Howard ignores it.

To Howard, we are all just one big "we." "We can't see leaving the protection of our legal cage." Then he tells a short story about the ACLU, as if "we" and "the ACLU" were the same thing. He tells us that "courts are not supposed to be commercial establishments where, for the price of a lawyer, anyone can buy a chance at a raffle." Agreed. He tells us that, in fact, "there's no right to sue except as the state permits." Check. And then he assumes that all these novel ideas must have put us in a tizzy, so he tells his reader, with a reassuring pat on the head: "I can practically feel your confusion." At this point there occurs in my copy the first obscene marginal note I ever remember writing.

Howard's diagnoses are convincing, if largely unoriginal. But he suggests barely any solutions. How should we proceed against the immediate cause of our social misery, the runaway lawyers? "To get back the authority needed for real freedom," he writes, "we have to take it back. That's how democracy works. We get together, in the way Tocqueville so admired, and demand it."

I see.

Here is my own modest proposal. The only way to defeat cutthroat lawyers is with their own weapons. Some citizen's group should launch a class-action suit against a lawyer—pick one at random—who has won a ridiculous award from a confused jury and a pliant judge. Such lawyers hurt the public grievously and should be made to pay. Of course, they can easily afford to pay; so better yet, we need a courageous state attorney to bring criminal charges against some such lawyer for theft and extortion. For one rapacious lawyer to spend one night in jail would do more for this country than a hundred acts of Congress, a thousand bestsellers, and a million outraged book reviews. It would transform this society overnight. **NR**

Abusing the Seventies

CHRISTOPHER CALDWELL

The Seventies: The Great Shift in American Culture, Society, and Politics, by Bruce J. Schulman (Free Press, 352 pp., $26)

THE last quarter of Bruce Schulman's *The Seventies* consists of a sustained attack on the presidency of Ronald Reagan, which, on-the-ball readers will remember, took place in the 1980s. Much as historians describe a "long 19th century" that runs from the French Revolution to the Great War, Schulman, a professor of history at Boston University, takes as his subject a "long 1970s" that runs from 1968 to 1984. What unites these years, for Schulman, is that they were a period of baleful conservative ascendancy. They began with the election of Richard Nixon—an "underhanded," "cunning," "devious" "pathological liar," for those who've never heard of him—and culminated in Nixon's sugary avatar Ronald Reagan, who "truly lacked sympathy for the downtrodden."

The first of many roadblocks in the way of this vision of Nixon as the father of modern conservatism is that he remains America's most liberal president since the Great Society. Schulman grants this liberalism, but views it as part of a cannily concealed right-wing agenda. True, he says, Nixon signed the Clean Air Act, established the Environmental Protection Agency, held events nationwide to celebrate the first Earth Day in 1970, and established 642 new national and state parks. But, Schulman notes, "Nixon also established procedures for economic cost-benefit review of all environmental regulations." (Wow. Thunder on the right!)

Schulman sees the ninefold increases Nixon ordered in the budget of the National Endowment for the Arts as a crafty plot to "strip the cultural elite of its power." You see, the budget rose so high that museum heads and opera directors across the Northeast wound up getting a smaller percentage of federal arts funding. "Dick Nixon," Schulman writes, "had proved very tricky indeed."

In the shadow of this political narrative, the broad social trends of the 1970s appear as mere epiphenomena. Schulman notices four big ones: feminism, privatization, a revolution in finance, and the rise of the Sunbelt. Here, Schulman's hostility towards conservatism actually helps his analysis. It allows him to discover important points of contact between conservative trends and the "decadent" aspects of the Seventies that would elude a more balanced observer. He notes that the right-wing Sunbelt has always been as dependent on federal handouts as the left-wing cities of the Northeast, and that many forms of fundamentalist Christianity offer "personalized" salvation of a New Age variety. He shows, moreover, that the stagflation of the 1970s did as much to produce contemporary investing habits as did the stock-market boom of the 1980s. Inflation turned Americans into speculators, because "to let savings sit in a bank in an age of inflation was to lose everything."

Schulman winds up confusing certain inchoate, rearguard actions against 1970s America with 1970s America itself.

Schulman prides himself on his understanding of 1970s culture, but it is here that he makes his worst missteps. His besetting weakness as a cultural critic is one he shares with 1970s culture itself: a self-righteous delight in attacking straw men, a complacency that leads him to dress up conformism as intellectual bravery. "The decade's most potent and memorable cultural products," he writes, "raised an upturned middle finger at conventional sources of authority." Like hell they did. They kicked dead horses like "the Washington establishment" or "the WASP establishment" or

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"Puritanism" or "the big corporations"—at a time when these formerly powerful institutions and tendencies were discredited, repudiated, and powerless to fight back.

Thus, Schulman quotes Maryland congresswoman Barbara Mikulski as if she were exhibiting some sort of guts when she said that no longer were "white ethnics" willing to mask their "warmth, charm, and zesty communal spirit." (Hey, cut it out! Enough charm already!) He thinks Bob Dylan's ballad in defense of the jailed boxer Rubin "Hurricane" Carter "exposed the corruption, the rotting core of the nation's public life"—as if Bob Dylan were less a part of the nation's public life (even its power structure) than the Newark police department. Writing of Alan Alda as emblematic of a new, late-1970s maleness, Schulman claims that for postwar men, "more than anything else manliness meant not to be womanly—and not to be homosexual," and that "Americans linked homosexuality closely to communism." His evidence? "It was no coincidence that John Wayne, the era's model of assertive masculinity, also served on the Hollywood committee for the Re-Election of Joseph McCarthy." Yeah—but Alda and M*A*S*H emerged in the heyday of the Village People, a quarter-century after HUAC folded up its tents.

More serious than such disingenuous emphases are Schulman's omissions. There's nothing here on the designated hitter, the collapse of the American auto industry, the collapse of the American auto industry's hometown, streaking, the Iran hostage crisis, the degeneration of college curricula until Harvard jocks were getting course credit for studying their football team's offense, Jonestown, marijuana decriminalization, Gary Gilmore, the New York blackouts, Mothers Against Drunk Driving, sex-change operations, the rash of mass murders from Son of Sam to John Wayne Gacy, the Bump, and the Jimmy Carter killer-bunny incident.

The Panama Canal treaties get but a brief paragraph, and there only to illustrate the rise in Republican direct-mail prowess. Nor, astonishingly in a book so Reagan-obsessed, is there anything on 1970s Reaganism—no attempt even to study his stunning near miss in the 1976 Republican primaries. Schulman misses trends, too, reckoning insufficiently with the sheer demographic weight of the baby boom; with the revolution in taste in architecture, food, and clothing; with the surprising re-emergence of cities as desirable places for the rich to live. Since America has an extraordinarily high tolerance for violent crime, a word about the murder rate's reaching its historic peak in the late 1970s might have been nice.

Without such details, it's easy to forget that there was a new social order steadily being built up in the 1970s, one marked by chronic failure and wanton abuse of authority—and that what Americans felt in the face of it was a society-sweeping panic. Ignore that, and every reaction seems an overreaction—the tax revolt, for instance, which in Schulman's view "provided a more acceptable outlet for some brands of racial hostility." In the hands of patient historians (such as, for instance, Thomas and Mary Edsall in their *Chain Reaction*), how distrust of government interacts with race is a worthy topic. In Schulman's hands, it's a canard, the rehash of a story the Left told twenty years ago to console itself for its intellectual bankruptcy.

As is this book, on the whole. Schulman's goal is to make the recovery that followed the 1970s seem like the orderly result of policies and trends that were in place long before Ronald Reagan. "The early 1980s," he writes, "did not so much repudiate the political and cultural legacies of the Seventies as complete and consolidate them." Even Reagan's military buildup is described as "expanding and intensifying the rearmament that Jimmy Carter had begun after the Soviet invasion of Afghanistan in 1979." So Schulman winds up confusing certain inchoate, rearguard actions against 1970s America with 1970s America itself. That is, he does the very worst thing a historian can do: use hindsight to paint an era's problems as simpler than they were, and its choices as more straightforward. **NR**

Radical Niceness

DAMON LINKER

Moral Freedom: The Search for Virtue in a World of Choice, by Alan Wolfe (Norton, 256 pp., $24.95)

ALAN WOLFE, a prominent public intellectual and sociologist of moderately liberal convictions, is fast establishing himself as our foremost chronicler of—and apologist for—the moral softening of America. In his last book, *One Nation After All*, Wolfe discovered that Americans of different regions, classes, religions, and political convictions are united in their embrace of nonjudgmentalism—and decided that, some minor reservations aside, there was little reason to lament this development. In *Moral Freedom*, he employs a nationwide opinion poll, as well as in-depth interviews with 205 people from eight disparate communities, to demonstrate that America has become a nation averse to moral absolutes. Once again he draws sunny conclusions from his findings.

No matter where he looks—in a predominantly gay neighborhood in San Francisco, a wealthy Silicon Valley suburb, a small town in Iowa, working-class and immigrant communities in Massachusetts and Texas—Wolfe finds that Americans believe the moral principles of past ages were far too strict and inflexible to be relevant to their exceedingly complicated lives. Take honesty, for example. Most of the people in Wolfe's study think it's wrong to lie. But at the same time, they believe that there are exceptions to the rule. In the words of a housewife from Dayton, "nothing is black and white and every circumstance merits its own judgment."

There is an obvious problem with giving such wide latitude to individual choice in moral matters. As Wolfe

Mr. Linker is associate editor of *First Things*.

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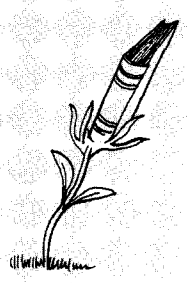
points out, "once people get it into their heads that they can determine for themselves when to be honest and when not to be," there's a danger that they will treat honesty as "a mere convenience" that can be "disregarded whenever it no longer serves our purpose." And yet, thankfully, most Americans don't follow through on the nastiest implications of their moral flexibility.

What accounts for their apparent restraint? Wolfe's research suggests that, for all of their refusal to be pinned down, Americans do in fact appeal to one universal moral principle—namely, "Do No Harm." And as Wolfe demonstrates, this commandment leads them to stake out a series of highly equivocal moral positions. Divorce is bad because it harms children, but it's okay if you're

■ SHELF LIFE ■

JESUS and Socrates left no written works, and man has suspected ever since that oral communication reaches closer to truth than does writing. The publication of lectures is the intellectual's method of splitting the difference: Here's what I say to my students, but presented in a format that will persist.

Roberto Calasso's *Literature and the Gods* (Knopf, 212 pp., $22) is an example of the greatness that can be achieved in this genre. Based on the Weidenfeld Lectures Calasso gave at Oxford in 2000, the book is an exploration of the reemergence of pagan divinities in intellectual life in the last two centuries. Calasso characterizes the history of modern literature as an attempt to recapture the uncanniness—the non-domesticatedness—of the Divine after its dethroning at the hands of skeptical Enlightenment humanism: "The enchanter gods wander like 'rapacious ghosts' in a desolate world. The time has come for them to sound their 'rebellion against Man,' represented . . . by the eternal pharmacist Homais, who is still 'amazed' that he managed to chase the gods off in the first place while presently preparing to burden Humanity with the awkward weight of a capital letter."



Homais, a character in Flaubert's *Madame Bovary*, is the best-known literary exemplar of modern science and skepticism; he represents the capitalization of *Homme*—Man—and it is against his spirit, not the spirit of traditional Western religion, that the pagan gods are conducting their literary revolt. The rise of what Calasso calls "absolute literature" has been made necessary by the fact that "there is no longer a theological power capable of taking charge and putting [gods and phantoms] in order." This ordering task of literature is not entirely new; Calasso notes that as far back as the Hindu Scriptures, man has intuited that the Word is at the heart of reality. He quotes from the *Śatapatha Brāhmana*: "Meters are the cattle of the gods." Calasso explains that "to operate effectively," Mind and Word "must team up, *yoke themselves together*." This yoke—the word itself is related to *yoga*—is meter: the transformation of Word into literature.

Calasso's book is immensely rewarding; it requires attention and offers much in return. For a somewhat higher ratio of effort to reward, look at George Steiner's *Grammars of Creation* (Yale, 344 pp., $29.95), based on his 1990 Gifford Lectures at the University of Glasgow. Steiner contends that recent years have seen the most important shift in man's intellectual history: Our culture and values are now created more by science and technology than by art and literature, and the resulting changes are "probably the most comprehensive and consequential since *homo sapiens*' development of language itself." We are losing the privacy of "aloneness and reserve," and "what 'leaks' out of inner life is far more than any mundane secret. It is a confidentiality of being, where the etymology of 'confidential' encloses a triplicity: there is trust ('confiding'), there is hope ('confidence'), and there is faith (*fide*). Words do remind us unnervingly of our losses."

The book is, beyond doubt, an intellectual tour de force—Steiner, it is well known, has read everything and understood even more—but it is difficult to imagine writings of this density spoken effectively in lecture form. One example: "In the anthropology of Lévi-Strauss, so direct if recalcitrant an heir to Frazer, the domestication of fire makes man 'transgress' into culture; it severs him from nature and impels him towards the solitude of history."

Consider, by way of contrast, the new paperback edition of *The Roots of Romanticism* (Princeton, 171 pp., $13.95), the transcript of Isaiah Berlin's 1965 Mellon Lectures at the National Gallery of Art in Washington, D.C. Berlin was most famous for his conversation, and these talks—they are, indeed, talks—show him at his best. He traces romanticism from its roots in German pietistic faith through to its modern, unpredicted consequences:

> The result of romanticism, then, is liberalism, toleration, decency and the appreciation of the imperfections of life . . . This was very far from the intentions of the romantics. But at the same time—and to this extent the romantic doctrine is true—they are the persons who most strongly emphasized the unpredictability of all human activities. . . . Aiming at one thing, they produced, fortunately for us all, almost the exact opposite.

Berlin's fluidity carries the reader along; he is, in the highest sense, a teacher. Like Calasso and, in a different way, Steiner, he demonstrates how much knowledge—and inspiration—can be imparted in the published lecture.

—MICHAEL POTEMRA

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really unhappy in your marriage. Religion is good because it provides solace, but it should be rejected if it makes you feel bad about yourself. Discipline is admirable because it gives you self-esteem, but it shouldn't be allowed to make you uptight. Self-indulgence is fine because everyone likes to have a little fun, but it must never result in physical injury of any kind. One thus comes away from Wolfe's book with the impression that Americans are quite possibly the nicest Machiavellians in history.

Wolfe's reflection on what he sees as the somewhat charming lack of moral constraint among his respondents leads him cheerfully to propose that the "twenty-first century will be the century of moral freedom" in America. While this term may invoke such courageous figures as Solzhenitsyn and Sakharov, who stood up to totalitarian tyranny in the name of human dignity and justice, Wolfe's moral freedom is considerably more mundane.

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The complacency of Wolfe's conclusion shows that he's as unwilling to exercise judgment as the most tentative and timid in his study.

■

He foresees a future in which Americans, unwilling to have their actions judged harshly by their government, their churches, their employers, their families, or even themselves, will increasingly exercise their freedom to reject every moral authority that does not allow them to fulfill their desire for a pleasant and pleasurable life. As a natural outgrowth of the typically American attachment to political and economic freedom, a future of moral freedom is unavoidable, says Wolfe. While Americans have always harbored a populist suspicion of authority and exhibited an exaggerated sense of their capacity to judge their own best interest, these tendencies have now spread to every area of life. "Americans have come to accept the relevance of individual freedom, not only in their economic and political life,

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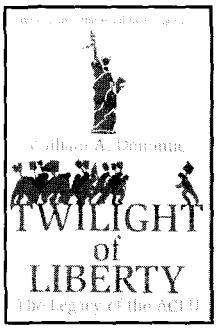

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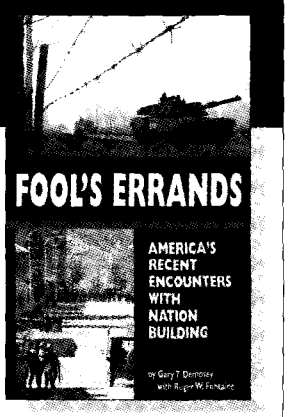
Is Nation Building a Mistake?



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but in their moral life as well." The moral freelancing described by Wolfe is thus the logical extension of America's unconditional devotion to a democratic ideal.

Wolfe finds little reason to criticize his fellow Americans, pointing out that "compared with radical evil, radical niceness is worth appreciating." To be sure, he wonders whether "individuals dedicated to moral freedom can find the resources to stick with the not always pleasurable tasks of raising children and committing oneself to a spouse," but he concludes that "given moral freedom's inevitability [we should] think of it as a challenge to be met rather than as a condition to be cured."

No one in touch with life in America today can deny that Wolfe's snapshot of the country captures many of its most distinctive features. Yet the complacency of his conclusion shows that he's as unwilling to exercise judgment as the most tentative and timid of the Americans in his study.

Even if a future of moral freedom is inevitable, that is far from being a cause for celebration, or even resignation. Wolfe portrays an America becoming, at least partially under the direction of its own democratic fixations, the first nation in history dedicated to the proposition that mankind can govern itself without reference to the moral absolutes that restrain our destructive passions and direct us toward nobler goods than niceness. That we've thus far been able to accomplish this extraordinary feat is a reminder of the unprecedented peace and prosperity of the present moment, as well as a tribute to the relative moderation of American desires. Tell an American that anything goes, and apparently he keeps on doing pretty much what he's always done, though perhaps with a bit less guilt.

But just as history teaches us that the placidity of the present will not last, so the most profound meditations on the human soul tell us that passions undisciplined soon slip the bonds of decency. This is a lesson that the residents of Littleton, Colorado, have already learned. To those, like Wolfe, who look forward with smiling faces to a future of unlimited moral freedom in America, one can only respond: You ain't seen nothin' yet. **NR**

Almost Famous

TERRY TEACHOUT

Dazzler: The Life and Times of Moss Hart, by Steven Bach (Knopf, 462 pp., $29.95)

BACK in the golden age of radio, there was a popular series called *The First Nighter Program* whose eponymous host, Mr. First Nighter, had fourth-row-center seats each week for the opening of a brand-new Broadway show at "the little theater off Times Square." It was, of course, a ruse—the series was actually produced in Chicago, and the scripts were soppy, soapy romances—but listeners kept tuning in anyway, because the word "Broadway" meant something unimaginably glamorous to ordinary folks out in the hinterlands. Those were the days when hit shows spawned road companies that crisscrossed the country, when Katharine Cornell and the Lunts could occasionally be seen on the stage of your local theater, and when everybody in the world knew who George S. Kaufman and Moss Hart were.

That may be overstating the case slightly, but Kaufman and Hart were at least as famous in the Thirties as Andrew Lloyd Webber is now. They wrote eight shows together, four of which were hits and two of which continue to be performed by regional and amateur theater companies in need of surefire fare. *The Man Who Came to Dinner* was revived last year on Broadway in a briskly funny production starring Nathan Lane that was telecast by PBS, while *You Can't Take It with You*, winner of the 1937 Pulitzer Prize for drama, spawned a Frank Capra-directed movie version that collected two Oscars and still turns up from time to time on cable TV. Short of being Shakespeare or Shaw, no playwright could reasonably hope for greater posthumous success.

But while George S. Kaufman's name is fairly familiar to most well-read Americans, if only because he was also a member in good standing of the Algonquin Round Table, Moss Hart has become an all-but-forgotten man, even though his résumé was very nearly as impressive as Kaufman's and *Act One*, his bestselling 1959 autobiography, is still in print. Unless you're a theater buff of the highest caliber, you probably don't know the names of any of the plays he wrote without Kaufman (none of which was any good), or that he directed the original productions of *My Fair Lady* and *Camelot* and wrote the screenplay for *A Star Is Born*. As far as posterity is concerned, he was the back end of Kaufman & Hart, Inc., and nothing more.

■

Moss Hart's spiritual heirs live and work not on Broadway but in Hollywood.

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It is doubtless for this reason that most of the buzz surrounding the publication of *Dazzler*, the first biography of Hart, has been centered on Steven Bach's utterly non-surprising "revelation" that Hart was a homosexual or, to put it more precisely, that he appears to have slept with both men and women until he married, after which he appears to have remained faithful to his wife. I'm not quite sure what that makes him, but whatever it was, it isn't news: Rumors about his sexuality have circulated for years, and as far as actual firsthand testimony goes, *Dazzler* contains a lot more bark than bite. Still, there's nothing like gay gossip to get journalists talking, which is why Hart is in the news again for the first time since his untimely death in 1961.

Also not surprisingly, Kitty Carlisle Hart declined to cooperate with Bach, which is why *Dazzler* contains no quotations from Moss Hart's correspondence, diaries, or other unpublished papers. Instead, Bach has been forced to rely on clips, interviews with Hart's surviving

Mr. Teachout, the music critic of *Commentary*, writes "Second City," a column for the *Washington Post* about the arts in New York.

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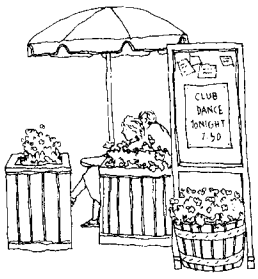
friends and colleagues, and his own coarsely jokey prose style ("This Hart's beat was Broadway"). I can't really blame Mrs. Hart for steering clear of a biographer whose intentions she had ample reason to suspect, but it isn't likely that anyone else will write a book about her husband, and her decision to withhold access to his private papers necessarily means that *Dazzler* is dead at the center: We never hear directly from the offstage Hart, a man who was far more complicated than he cared to admit in public.

That Bach has nonetheless managed to write an informative and readable book speaks well of his skills as a researcher, not to mention the indelible vividness of *Act One*, whose working title was "From the Bronx to Broadway." To be sure, Hart's grim reminiscences of his loveless, poverty-stricken youth are far from strictly factual, and Bach has gone to considerable lengths to show how extensively Hart edited and simplified the story of his rise to fame in order to make it more emblematic. Not that these sins of omission make *Act One* a bad book. Most memoirists shade the truth, but the unadorned facts—though less obviously dramatic—are just as interesting.

Hart was born in 1904, the oldest son of a Cockney cigarmaker who moved to America just in time to see his trade wiped out by the advent of the machine-manufactured cigar. Desperate to escape from what he later called "the grim smell of actual want," young Moss retreated into his imagination, retelling the stories of the library books he read to the tough kids on the block (he started off with *Sister Carrie*) and eventually landing a job as office boy to a small-time producer of road shows. One thing gradually led to another, and by a fantastic skein of coincidence rendered only slightly less plausible-sounding in *Act One*, he managed to get George Kaufman to read one of his scripts, a satire of Hollywood in the early days of talking pictures. The already-famous Kaufman agreed to rewrite the play in collaboration with Hart and direct the finished product. Though Kaufman treated his new partner with frighteningly cool reserve and the show nearly died in previews, the unlikely duo revised the last act at the last minute, and *Once in a Lifetime* (Hart's title) opened on Broadway to once-in-a-lifetime reviews.



Act One ends on the morning after that fateful opening night in 1930. Hart still had the rest of his career ahead of him: Only the first seventy of *Dazzler*'s 462 pages overlap with *Act One*. After that, Hart went on to write six more plays with Kaufman and another four on his own, plus the books of musicals by Irving Berlin (*As Thousands Cheer*, 1933), Cole Porter (*Jubilee*, 1935), Rodgers and (Lorenz) Hart (*I'd Rather Be Right*, 1937), and Kurt Weill and Ira Gershwin (*Lady in the Dark*, 1941). Along the way, he became the butt of innumerable wisecracks arising from his reputation as a money-burning bon vivant who was seemingly addicted to psychoanalysis. (It was Fairview Farm, Hart's lavishly appointed weekend home, about which a guest, probably Kaufman or Alexander Woollcott, famously remarked, "Shows you what God would have done if He'd had money.")

The great irony of Hart's life is that none of his plays has aged as well as *Act One*, perhaps the best theatrical memoir ever written by an American. That anyone should now care to read his biography says as much about the enduring mystique of Broadway as it does about the merits of his own work, about which the director-critic Harold Clurman had the devastating last word: "To categorize Moss Hart's latest play, one has simply to say that it is a hit. This is not an evasion, for there is a distinction between the play that becomes a hit through accident and a play that is a hit by design, a special order of playwriting. Its aim is pointed only at the bull's-eye."

Though Hart fancied himself an American counterpart of Noël Coward, his plays are mere applause machines, Pavlovian mechanisms cunningly engineered to render audiences mindless and send them home happy. (Coward's plays are no less funny, but far more emotionally complex.) Like Kaufman, Hart was a commercial craftsman par excellence, a devout believer in the credo of popularity at all costs, and his spiritual heirs live and work not on Broadway but in Hollywood, where they churn out laff-a-minute movies and TV shows that are as memorable as last month's Big Mac.

It says everything about Hart that except for *Act One*, the only thing he wrote that seems likely to last was produced in collaboration with a member of the Algonquin Round Table. The Round Table, like the plays of Kaufman and Hart, was about not art but fame—which is the subject matter of *The Man Who Came to Dinner*, a half-cruel, half-admiring caricature of fellow Round Tabler Alexander Woollcott, a sharp-tongued, oleaginous-voiced radio personality whose peculiar career foreshadowed the content-free celebrity that now dominates American pop culture. (If Woollcott were alive today, he would be the host of *Who Wants to Be a Millionaire*.) Celebrity and poverty: That was all Moss Hart knew about, and in the end it wasn't quite enough to write plays about. **NR**

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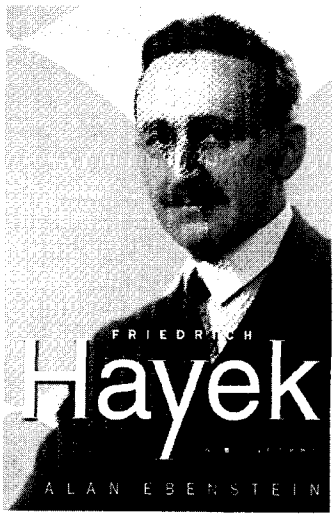

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■ MUSIC ■

Greatness, Here & Now

JAY NORDLINGER

LADIES and gentlemen, a star is born, or rather: a star is about ten years old at this point, given that Olga Borodina first made an impression on the music world in the early '90s. But it is only in the last season or so that she has come to the fore, grabbing the music world by the throat. Borodina, a Russian mezzo-soprano, is one of the finest singers in the world. She is also one of the finest singers . . . ever.

Now, most critics would rather swallow poison than make that last point, at least in public. Moderation is the name of our game: We hedge, we qualify, we keep our heads down. And because we do this, we often fail to recognize, or announce, greatness when we see it, or hear it. It is safer to wait for the "judgment of history." But this is a bit of a cop-out: Part of the critic's duty is to call a spade a spade, or an immortal an immortal—even "prematurely." We have no trouble saluting the past. We express envy of earlier audiences, and we cherish our "historic recordings." But contemporary performers? They will have to wait their turn: from the grave.

Lately, though, critics have been getting bolder about Olga Borodina. It simply cannot be helped.

Borodina, now 37, grew up in St. Petersburg. Her career has had two primary sponsors: Valery Gergiev, wizard of the Kirov Opera, and James Levine, wizard of the Metropolitan Opera. Both men have featured Borodina zealously. They know that she has every asset: a superb, unusual voice; rock-solid technique, leading to (among other things) versatility; a keen dramatic sense; and innate musicality, which cannot be taught or lost.

In the mid '90s, Borodina sang all over Europe, essaying the roles with which she would become associated: the Russian parts, in operas by such composers as Mussorgsky, Tchaikovsky, and Borodin (no relation to the singer, apparently); then Dalila (in Saint-Saëns' *Samson et Dalila*), Amneris (in Verdi's *Aida*), Eboli (in that same composer's *Don Carlo*), and Carmen (everyone's favorite gypsy, in Bizet's masterwork). Soon she arrived on American shores, where she secured her stardom. Borodina was given the honor of opening the 1998–99 season at the Met: She sang Dalila alongside her most distinguished Samson, Plácido Domingo.

Andrei Babushkin

One for the ages: Olga Borodina

One of the high points of that same season was Borodina's recital in Lincoln Center's Alice Tully Hall. This was an all-Russian affair, with Borodina offering Tchaikovsky and Rachmaninoff, the heart of the Russian song repertory. The audience was held rapt, as Borodina wove spell after spell, finding the soul of this intensely soulful music—and laying on that glorious, haunting voice.

During the next season, she gave Metropolitan audiences her Amneris, an Amneris as commanding and persuasive as any in memory. Clearly, she belonged in the front rank of Verdi mezzos, a legendary group. Shortly thereafter, Levine took her into the concert hall for Ravel's *Shéhérazade* and Berlioz's *Mort de Cléopâtre*. This is exactly the kind of thing he used to do with Jessye Norman. It seemed that the baton had been passed: Here was the new favorite, the new ideal. Everything Borodina did in those French staples reflected supreme taste.

In the 2000–01 season, the singer fairly dominated New York, certainly in the final months. There was her Amneris again, and also her Carmen—hugely appealing, irresistible. Then, in mid April, came a reprise of *Samson et Dalila* with Domingo. All of Borodina's virtues were on display, not the least of which is remarkable intonation. She can always be found in the center of the note, a key aspect of her singing. And she plays the old Philistine temptress with great intuition and flair. Borodina is a redoubtable singing actress.

The delicious aria "Printemps qui commence" was exceptionally creamy and poised. Borodina has an enveloping, velvety voice, but it can cut, too. Dalila's other aria, "Mon coeur s'ouvre à ta voix," was, unsurprisingly, another highlight, with the singer wrapping that decadently gorgeous voice around that decadently gorgeous music. Later, she handled her final, vengeful lines with terrific authority. She can not only caress, but hurl thunderbolts.

Then, at the end of April, came one of the most anticipated events of the season: a Verdi *Requiem* boasting—count 'em—the soprano Renée Fleming, the bass René Pape, and Borodina, with the Met forces under Levine. This was a first-class performance, made up of many strong elements—but possibly the strongest (apart from the direction) was the mezzo-soprano. Borodina's sound and musicianship pack a wallop in both opera and liturgical music, and the *Requiem*, of course, is a combination of both.

The mezzo's season—and New York's—was to have been crowned on May 4 with a solo recital in Carnegie Hall, Levine at the piano. At 6:00 that evening, however—an hour and a half before the concert was to begin—Borodina called it off, owing to allergies. The recital was postponed to a week later (too late to be included in the present article). One of the things she was to sing was the Mahler song cycle known as the *Rückert Lieder*. This is a sine qua non for serious singers of lowish

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voice. Most of the great mezzos of the past have traversed it: Kathleen Ferrier, Christa Ludwig, Janet Baker. It is only right that Borodina should begin to sing Mahler, and the German repertory generally; no musician as good as she should miss them.

Borodina has had a busy recording career, although, as with all great voices, and singers, there is no substitute for live performance. Still, the discs play their part. Borodina has recorded most of her signature roles, mostly with Gergiev, mostly on the Philips label. Amneris and the Verdi *Requiem* are coming later this year. She has not yet done Carmen—but she ought to do so soon, as the years, along with the instrument, tend to slip away.

One album of special interest is a duets-and-arias job with the Russian (or rather, Siberian) baritone Dmitri Hvorostovsky. Borodina's Rossini can be heard here—and we see that, on top of everything else, she is a bel-canto singer. Her passagework is silken and sure. Marilyn Horne taught us all that a sizable voice, buttressed by the proper technique, can turn any trick; Borodina proves the point as well. She is like a big, graceful cat prowling majestically but nimbly around these scores.

Of even greater interest, perhaps, is a very early recording, made in 1993, back in St. Petersburg. The music is Rachmaninoff's *Vespers*, conducted by Nikolai Korniev (also available on Philips). Borodina's lines are few and brief, but she delivers them with startling spiritual power. In the section entitled "Bless the Lord, o my soul," she comes in as a prayer. She is humble, beseeching, bold, and unerring. In interviews, Borodina has described herself as a religious person, and while she is as starry a star as we have on the wicked operatic stage, she may well be at her best when the music is holiest.

It is a habit of music lovers—particularly of opera fans—to lament what they missed out on, and to ponder wistfully "golden ages" past. We should pause to feel sorry, however, for those who came before us, and for those who will come after us: for they will be deprived of more than a few great singers who are now smack in our faces, none greater than the divine mezzo-soprano from St. Petersburg. **NR**

■ FILM ■

False Friends

JOHN SIMON

It would greatly help ***With a Friend Like Harry*** to be just a little more believable. Michel, a teacher; Claire, his wife; and their three small, squalling daughters are driving to their modest country house in an old, sweltering station wagon. They stop at a gas station to change the baby's diapers when, in the men's room, a stocky, grinning man accosts Michel. He is Harry Balestero, a former schoolmate who remembers everything about Michel—who, only with difficulty, dredges up some reciprocation. Before long, Harry, who drives a cool (in both senses) Mercedes, which comes equipped with a blonde and adoring girlfriend, Plum, has everyone ensconced in its comfort. They are driving to Michel's ramshackle house for a drink, after which Harry is treating for dinner.

■

You never know where a seemingly innocent car trip will take you.

■

It soon transpires that Harry had a kind of schoolboy crush on Michel: He has memorized a poem Michel published in the school magazine, and raves about the first chapter of a sci-fi novel of Michel's also printed there. He insists that Michel must go on writing, and forthwith he and Plum are houseguests of Michel and Claire. Harry has become a millionaire upon the death of his father, and, over the protests of his old schoolmate, buys Michel's family a fancy, expensive SUV to replace their broken-down jalopy. As he muscles in on Michel, Claire, and the kids, his flaunted motto is that every problem can be solved.

Already I wonder: If Harry was so

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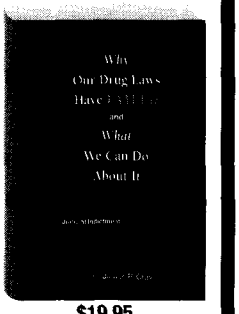

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obsessed with Michel, why didn't he seek to reestablish contact with him earlier? Conversely, why, having kept his distance for so many years, does he now follow him around like a large, ominously hovering hound? Michel's parents, who live two hours away, come for a visit, and Harry concludes that they are ballbusters. Michel must be made free to write again, no matter who—according to Harry—stands in his way: parents, wife, or children.

As Harry's behavior becomes more pronouncedly psychopathic, I want to know how could this fellow have such a seemingly carefree and fulfilling relationship with Plum? And just how did his father die? You want to supply a plausible back story for this jolly fellow and his cozy mistress, even if Harry oddly gets up after having sex to consume a raw egg in the kitchen—a practice that he contends is good for his virility. His madness escalates, and forthwith murder comes rather easy for him, with no noticeable unpleasant consequences.

Several things about the movie are *hommages* to Hitchcock, but the old master never abandoned credibility in so wholesale a manner. In the film's later phases, mayhem becomes downright risible, and we cease to care. Too bad, because the German-born Parisian director, Dominik Moll, and his French co-scenarist, Gilles Marchand, build unease and suspense adroitly in the earlier parts, abetted by fine cinematography from Matthieu Poirot-Delpech and sparing but provocative music by David Sinclair Whittaker.

The acting of the well-cast principals is impressive. The lean, quietly intense Laurent Lucas (Michel) contrasts cannily with Sergi López (Harry), who is first fulsomely smiling, then earnest with seeming concern, and later scary without effort. Mathilde Seigner's Claire wonderfully conveys warmth under her increasingly edgy defensiveness, while Sophie Guillemin's Plum aptly suggests under her airheady sexiness a vulnerable human being.

There is a visual refrain: cars gliding down sunny or dark roads, shot from every possible angle, including crane and helicopter shots, to catch surrounding landscapes or expanses of pitch-dark night. These journeys range from picturesque to diabolical, and gradually achieve an ambiguous but compelling symbolism. You never know where a seemingly innocent car trip will lead you.

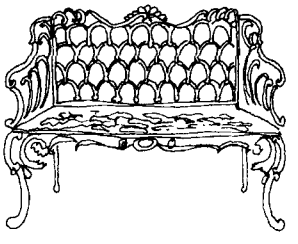
■ I always considered Henry James a failed Proust, and found reading him supererogatory; especially late James, as in ***The Golden Bowl***, was too trying for my patience. Even so, I can tell that the movie Merchant-Ivory has made from it is a huge oversimplification. Granted, that happens to film adaptations of any novel whose style matters more than its plot, but that begs the question of whether such a movie was necessary. Yet who is to stop these ever-hopeful, ever-arrogant filmmakers?

■

The eye wanders through the film's painted and sculpted masterworks and sumptuous gewgaws with a satiety bordering on nausea.

■

The Golden Bowl concerns Adam Verver—"the first American billionaire," a title proclaims—who has made a fortune in coal and is now converting it into a diamantine trove of European art treasures. He intends to build a museum in his native, mythically named American City, and cram culture down the throats of his fellow citizens, who would prefer streetcars. He and his daughter, Maggie, are almost incestuously close, as confirmed by his marrying Charlotte, her old American expatriate friend, while she marries the charming but penniless Italian prince, Amerigo, unbeknown to her Charlotte's former—and not just former—lover.



It sounds like a soap opera, and so it is, stripped of James's prose, however bedizened in the gorgeous garments of *Masterpiece Theatre*, in which the producer Ismail Merchant, his director, James Ivory, and their favorite writer, Ruth Prawer Jhabvala, specialize. They have shot this, probably their most lavish spectacle film, in some of Europe's grandest houses, which, I suspect, they have crammed fuller of art and artifacts than their owners ever dreamed of. The eye wanders through the film's painted and sculpted masterworks and sumptuous gewgaws, its suffocatingly stately halls and gorgeous costumes, with a satiety bordering on nausea.

The dialogue is overemphatic and thus thoroughly un-Jamesian. About the symbolic golden bowl—a masterpiece in gold and crystal with, alas, a barely noticeable crack diminishing its value—we have to be told, "I can't believe it—it looked so perfect." "Yes, a perfect fake." The cracks in Mrs. Jhabvala's adaptation are rather more visible. And audible.

The character of Verver, civilized by European art and silently suffering as he senses Charlotte's infidelity, is well played by Nick Nolte, once a rather cloddish actor who has evolved into a subtly commanding one. Less successful is Kate Beckinsale as Maggie. Though she eventually wises up to the past and even—forgive the oxymoron—recent present of Amerigo (which he, to Charlotte's fury, has finally given up), she does not quite manage to grow in wisdom and stature.

As for Uma Thurman, she is not, except in her all-too-convincing tantrums, the impoverished but refined Charlotte she is meant to be. Well, maybe impoverished. Jeremy Northam does better with Amerigo's ambiguous charm, and manages a persuasive Italianness and impeccable Tuscan accent. My only problem with him is his obtrusive nose, though I'm not sure whether it is too princely or not princely enough.

The usual Merchant-Ivory cinematographer, Tony Pierce-Roberts, and composer, Richard Robbins, contribute their usual, somewhat slick competence. Only the inclusion of some black-and-white period photography of turn-of-the-century American urban bustle strikes me as forced and out-of-place. But it is simply more of that overexplicitness that mars so much of the movie. Still, Merchant and Ivory have come a long way: I used to consider them fit only to be ivory merchants; they have grown into uneven but not negligible filmmakers. **NR**

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The Guns of Elkhart

NEW YORK, APRIL 20

THE ACLU rides again, as we are advised by the *Wall Street Journal*'s Jess Bravin, reporting out of Elkhart, Ind. The script: In 1956, Cecil B. DeMille is promoting his movie, *The Ten Commandments*. A judge in St. Cloud, Minnesota, gets in touch with the great moviemaker, and he has an idea: Combine publicity for *The Ten Commandments* with the elevation of public morals. How? Create memorial slabs of the Ten Commandments to exhibit, in our amber waves of grain and on our purple mountaintops, from sea to shining sea. One of the landing spots for the Ten Commandments monsoon was Elkhart, Indiana, and that tablet led to the trauma from which William A. Books now suffers.

That tablet, an idea cosponsored by Hollywood and the Minnesota judge, was unveiled on Memorial Day in 1958. Not much attention was paid to it, the neglect causing it to be obscured by shrubs, more or less *pari passu*, if your mind runs that way, with the neglect of the Ten Commandments in the past four decades. But then came a municipal development project, and lo! this resulted in the repristination of the tablet, such that even bicyclists coasting by could spot it.

That exactly was what Mr. Books was doing on that day in 1998, bicycling by. He filed an affidavit recording that he was "extremely upset and bothered" to see the Ten Commandments on display because they symbolized a religion he does not practice. So what did he do? He rang 911-ACLU and reported that the Constitution of the United States was being violated in broad daylight in the heart of America.

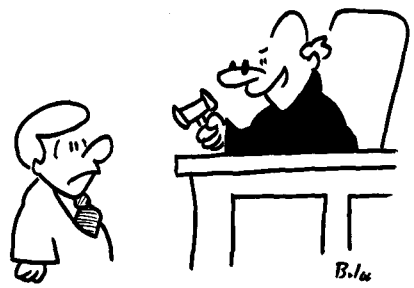
A federal appeals court in Chicago agreed with Mr. Books, but the legal question has been complicated. Jay Sekulow, chief counsel of the American Center for Law and Justice, will defend Elkhart, and he has devised an arresting means of doing so. The Ten Commandments tablet had nothing to do with the propagation of religion, he argues. It had to do with commerce! Therefore, it had a secular purpose; therefore, it escaped the prohibitions of *Lemon* v. *Kurtzman*, in which the Supreme Court insisted that any use of religious material in state institutions had to have a clear secular purpose.

So both sides are appealing to the Supreme Court, in an action joined by the state of Alabama, whose senate recently approved (unanimously) a proposed amendment to the state constitution permitting display of the Ten Commandments on public property. Court cases and legislation of that character are pending in a half-dozen other states.

To formulate an agenda requires some attention to priorities. The first, surely, is the mental health of William A. Books. Is he in a sanatorium? Or was he given treatment in time? Can he still ride his bicycle, or is doing so too keen a reminder of the kind of thing one can run into, when riding a bicycle recklessly about? Will the court order damages for Mr. Books?

And Mr. Books has a provincial ally. He is Michael Suetkamp, an Elkhart factory worker. Suetkamp is in the best tradition of the conciliator, and there are those in Elkhart who think of him as in the tradition of the Missouri Compromise. The Suetkamp Ordinance: remove the Ten Commandments slab to "a museum or an art exhibit." Or—Suetkamp's broad range of thought is here in evidence—construct a companion monument celebrating "the deep and rich history of atheism." If that were done, Elkhart might go on and create a bicycle path past the atheism statue, guaranteeing Mr. Books safe passage in the park.

Was Cecil B. DeMille doing the Lord's work? Conceivably. If a viewer of the movie resolved never again to take the Lord's name in vain, or to dishonor his father and mother, or to kill or steal or commit adultery or covet his neighbor's goods, then it might be said that his behavior was influenced by his exposure to the Ten Commandments, an exposure—on wide screen—more vivid than that on a granite slab in Elkhart, Ind. And of course the question before the house, really, is whether an injunction to good behavior is exclusively a religious concern. The real threat, as seen by the ACLU, is that religious behavior might give secular behavior a bad name, and that is, surely, unconstitutional.



"You've been born again, have you? Okay—I'll give you two life sentences!"

Watch the Killer Get Killed?

NEW YORK, APRIL 24

IF attitudes, let alone rules, can be said to have been formulated at the dinner seminar, these would be they:

1. Nobody is saying that Timothy McVeigh is the wrong guy. There is no outstanding legal appeal in his case, save from the inventive mind of abolitionists, and what they would say is one or another form of: Capital punishment is wrong, and therefore shouldn't be inflicted on anybody. Anybody includes, though just barely, Timothy McVeigh.

2. That his upcoming execution (May 16) sets a few records is interesting for data collectors, but not, really, for moralists. The last public execution was in 1936 in Owensboro, Kentucky, at the expense of one Rainey Bethea. The hanging was public, the spectators numerous (approximately 15,000); and the public reaction was such as to end public executions. The presiding official had officiated at 70 other executions, not so many in contrast with the hangman at Nuremberg, who had done over 400. The other record is that there have been no federal executions since 1963. They were dragged to a near halt by the Supreme Court, which, however, relicensed them, under specified circumstances, in *Furman* v. *Georgia*, 1972.

3. If public executions are de facto and in most states de jure outlawed, how is it that this one will be viewed by so many? Well, the jurisdiction is federal, and the situation is pretty well unique, and one hopes will never be matched: 168 victims. Now the tradition is long-lived that next of kin of victims may

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appear as witnesses at an execution. Why? Because they want whatever satisfaction is to be got from seeing effective retribution—they see the killer killed. And then there is the touch of formality. Even as a doctor is there to record a death, and a marshal to sign a redundant death certificate, actually to see the killer die gives punctuational satisfaction to some people who want more merely than to read about it.

4. Are there special circumstances, then, in the matter of Terre Haute, Ind.? Yes. The facility there provides room for about 30 witnesses. When word got out that ten survivors and relatives of victims might arrange to witness the act, authorities were stunned to come upon 250 requests. Obviously these needed either to be denied, or to be obliged after making special arrangements.

Such special arrangements were of course doable in the age of closed-circuit television. Many kinfolk wish to be nearer to the site of death, and will travel to Terre Haute. Their arrival there becomes a public problem only in respect of arranging the television circuits to wherever they are. There will, of course, be the investigative reporter's anxiety to tap into the scene, for possible viewing by a larger audience. Federal authorities intend to make this difficult, but may not altogether succeed.

5. If the larger public gets to view the scene, how much psychological damage is done? Is it to be compared with a snuff film? A snuff film is a movie of someone being killed and these are illegal in the United States because you can't have somebody be killed without somebody acting out the role of killer. (Whether it should be illegal to import a snuff film is something even the ACLU is undecided on.) It simply isn't clear whether a contraband airing of the McVeigh scene would bring down the hounds of justice. Mike Wallace survived airing one of Kevorkian's killings.

6. Have we learned anything about McVeigh that advances our perpetual search for causes of aberrant behavior? He says about himself that he was animated primarily by the fate of the Branch Davidians, who were unquestionably victims of reckless federal action by Miss Reno's commandos. On the question whether his sensibilities are normal, some note was taken of the interview he gave two weeks ago in which, confronted with the number of day-care children killed by his bomb, he expressed only curiosity (mild) that the question should have been raised, not that the children were killed.

The consensus of the seminar was that we did not object to those who put in to view the execution, though most of us would not, in similar circumstances, have asked to be present.

Invitations Ahead

NEW YORK, MAY 1

INVITATIONS can be tricky, as President Bush most keenly discovered on Monday when he invited the whole legislative gang to lunch and was greeted by only 193. We're told that Southwest chicken and Angus beef were served, which raises the incidental question: Were the kitchen staff advised by the relevant steward that only one-third of the invitees would show up? If so, how was the information gathered? Was the FBI called in, discreetly to inquire? But the FBI is a crime-fighting outfit, and it is not a crime to turn down a White House invitation. So it would have been a matter of guesswork: How many Democratic legislators, how many GOP, would turn up? Leaving unanswered the question: What was done with all the leftover chicken and beef?

Then there is the question of motive. Attention focuses on what it is that caused individual senators and congressmen to stay away. Observers were quick to point out that Monday is a busy day for congressmen, often spent traveling back from weekend work in their home districts. They just couldn't alter their plans on such short notice. But then there were others who were free, or could manage to be free, but chose not to accept the invitation. When that happened to another king, in another age, he was wroth; and sent forth his agents to get other guests, teaching us that many are called but few are chosen.

Social invitations that run up against politics cause potentially embarrassing situations. Might President Bush have accosted Congressman Gephardt, his mouth full of chicken, and said: "Remember, Dicky-boy, there's no such thing as a free lunch!" What would the minority leader have done? With the host? With the food?

Two days before the White House's failed lunch, the White House Correspondents had their annual dinner party, a huge affair with several thousand diners. A mischievous table arranger managed to seat, at a single table, Charles Colson, Pat Robertson, and the Ambassador from China and his wife.

The White House Correspondents' dinner calls for an amusing speech by the president and an amusing speech by a professional comedian, and the difference between the two is progressively difficult to isolate. The president's address on Saturday was made up of snippets from mother's family picture album projected on huge screens, and accompanied by jocular commentary by the president. One picture showed 21-year-old George W. standing alongside a fighter plane in Texas when he served in the Texas Air National Guard. The comment was, "I'm the one who committed the state of Texas to defend Taiwan from attack."

That brought a roar of laughter from everyone, but not from Yang Jiechi, no sirree. He sat frozen in his chair, his features coldly set in resolute disapproval. One has to wonder: Would it have been reported to Peking if the ambassador had actually—laughed? It was a nice political joke, but reminded us that totalitarians can't take a joke. Ogden Nash wrote 60 years ago that if Germans had merely paused for one minute to view themselves goose-stepping, arms upraised, declaiming Heil Hitler! what would have happened would be a national convulsion of self-derisive mirth, which is always to be preferred to a world war.

But then, moments later—just when the ambassador was beginning to enjoy his steak—who gets introduced from the dais? Shane Osborn.

And the whole assembly breaks out in applause.

So there is Peking's man in Washington, seated—which was torture enough—between the two most prominent Christian activists in America, trying to get through his meal, and having what seemed all of Washington cheering and applauding the commander of a USA spy plane that had tossed a Chinese cowboy into the sea, and then landed on Chinese soil!

Who invited Mr. Yang? Was he warned that Americans laugh? Are capable of laughing at their own expense, but also at the expense of Peking? And that they are capable of not laughing when Peking perseveres in its unholy wars against religious faith?

But dinner at the Capital Hilton that night was a high-price affair, and the place was crowded. Maybe President Bush should have put a higher price tag on lunch at the White House. Clinton did, and had a stream of guests.

—UNIVERSAL PRESS SYNDICATE

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■ THE MISANTHROPE'S CORNER ■

FLORENCE KING

ANOTHER Sunday with the newspapers, another pile of stress articles. This is becoming such a regular experience that if *This Is Your Life* is ever revived and they decide to do me, they'll have to figure out some way to show it. I don't know how they could do it except to heave a file cabinet full of clippings through the rose-covered trellis while the band plays "Auld Lang Syne." The show's format demands a real live person, but it won't be long before every American newspaper has a separate Stress Section, so they'll be able to bring on a real live Stress Editor to hug me.

Stress as it is now defined got its start when feminists adopted the Nazi motto, *Arbeit Macht Frei*, and ordered wives and mothers to go out to work. I admit to a touch of schadenfreude here because this kind of stress plays no role in my life. I have never had a husband or a child and I no longer drive a car so I am immune to the Big Three, but my advantages are a double-edged sword. Living alone and working at home may sound unstressful, but they have spoiled me so much that the least little thing ticks me off.

My kind of stress dates from the Tylenol scare of 1982, when it was discovered that Americans, the friendliest people on earth, like to poison each other.

Drug companies prided themselves on how fast they "responded" to the problem, i.e., how fast they figured out how to seal everything up so nobody could get it open. The issues of crime and punishment got lost in the shuffle of the Great God Packaging, whose acolytes hit on the solution of frustrating poisoners and headache sufferers alike until they gave up, threw the bottle against the wall, and went out and shot somebody instead.

Now everything is wrapped and sealed to the hilt whether we put it in our mouths or not. Price tags on a loop of rubbery plastic strong enough to leash an Irish wolfhound, appliance boxes wound with steel-belted tape that yields only to wire cutters, and stubborn decal labels that leave a sticky residue that you can't get off no matter what.

I have to be careful about coping with packaging in public. Stress has become such a big-ticket item that one "g**d*** sonofabitch!" is all it takes for somebody to say, "She has a lot of anger." Profanity (though not obscenity) is now considered a "warning sign," the kind we are given lists of in stress articles, like "Ten Things to Look for in an Out-of-Control Loved One."

It would be undemocratic if some people had less stress than others, so America sees to it that no stoic is left behind. One way to achieve this goal is with the ubiquitous phrase "quality-care professionals." As soon as I hear it my stomach knots up because I know that some ungodly snafu is imminent and I will end up on the phone with someone named Pam or Debbi.

Another way is forcing us to listen to a nervous wreck conversing with a megalomaniac. The talk-radio format, which has spread to TV, is virtually unavoidable now. The tension begins when a caller, who has been on hold for two hours, gulps and gushes, "I can't believe it! I'm really talking to you! I've been trying to get through for years!" Having provided listeners with a mental picture of a prisoner dragged up from a dungeon and thrown at Pharaoh's feet, the caller tries to repeat what he has already said to the call screener in pre-talk, but, conscious of the looming commercial break, he stumbles through an incoherent stew of fits and starts until the host booms, "Hold your thought!"

The best way to make sure we are all equally stressed out is to run, suspiciously often, the traveler's-checks commercial about the hysterical woman who left her handbag in a foreign cab. "You don't understand! I'm on vacation!" she shrieks into the phone. "This has never happened to me before! My wallet, my husband's wallet, a thousand dollars!" Then the scatty voice sinks to a tremulous whimper. "Everything is in that cab. . . ." This is supposed to persuade people never to leave home without traveler's checks. It persuades me never to leave home.

The American way of stress is comparable to Freud's "beloved symptom," his name for the cherished neurosis that a patient cultivates like the rarest of orchids and does not want to be cured of. Stress makes Americans feel busy, important, and in demand, and simultaneously deprived, ignored, and victimized. Stress makes them feel interesting and complex instead of boring and simple, and carries an assumption of sensitivity not unlike the Old World assumption that aristocrats were high-strung. In short, stress has become a status symbol.

Blessed are the stressed, for they have inherited the earth. The "air rage" defendant who broke a ticket agent's neck when he picked him up and used him as a pile driver owes his acquittal to our stress worship. Air rage, road rage, and any other collapse of self-control is simply trendy.

This is why so many people liked Clinton. The constant turmoil, the 24/7 crisis mode, the sleeplessness, his hyper approach to everything fit the Stressing of America like a glove. Bush, on the other hand, has let down the side with his orderliness, punctuality, smooth delegating, and early bedtimes. He's just not playing fair with the zeitgeist. This will not stand.

The solution? Drawn, tense Bob Kerrey, eyes blinking uncontrollably, voice quavering like the traveler's-checks lady's, in a breaking-news press conference billed "One Awful Night in Thanh Phong" and featuring words like "haunted," "nightmare," "subconscious," "secret," and "heal."

This is more like it. It even has the right name: "post-Vietnam stress syndrome." Kerrey claims he has no interest in running for president, but he's establishing his bona fides whether he means to or not. Now that we have become a nation that judges presidents according to whether they "understand the problems of people like me," a man with Kerrey's stress-test scores would be in like Flynn. **NR**

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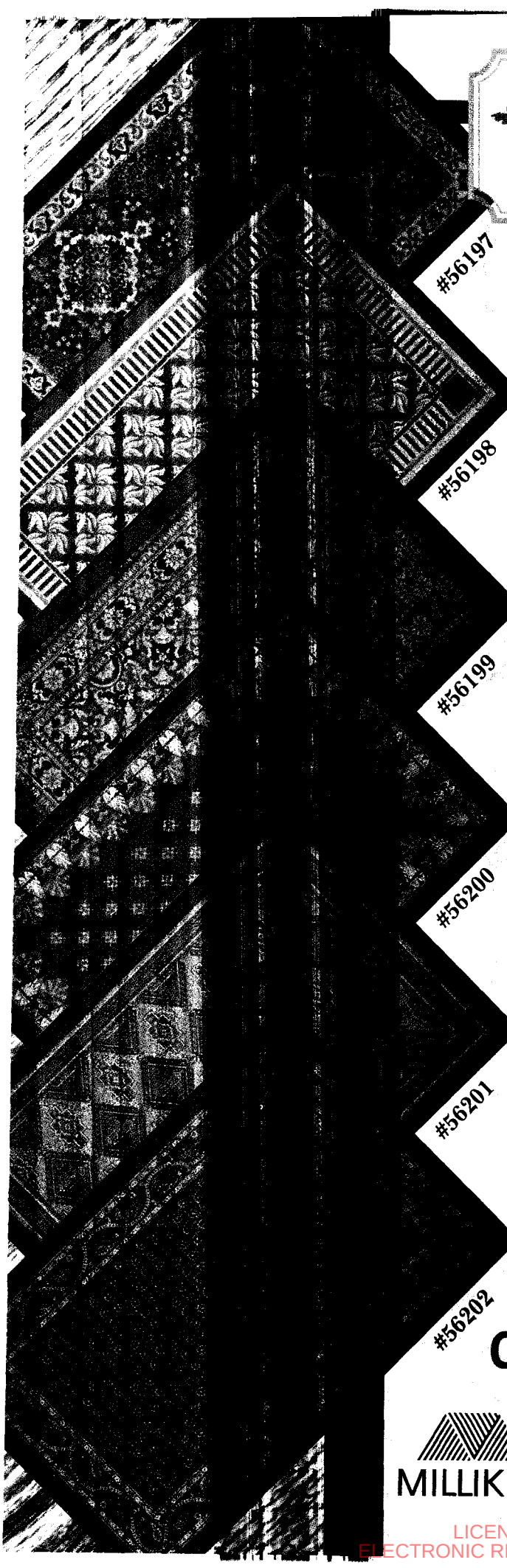

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